

PLANNING COMMISSION

MEETING OF

MARCH 8, 2001

City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

5:15 PM

COMMISSIONERS BRIEFING:

PRESENT:

Craig Galati - Chairman
Richard Truesdell - Vice Chairman
Michael Buckley
Byron Goynes
Lanny Littlefield
Stephen Quinn

EXCUSED:

Hank Gordon

STAFF PRESENT:

Robert Genzer – Planning & Development Dept.
John Koswan - Planning & Development Dept.
Andrew Reed - Planning & Development Dept.
Troy Jeschke - Planning & Development Dept.
Laura Martin – Planning & Development Dept.
Bart Anderson - Public Works
Qiong Liu - Public Works
Bryan Scott - City Attorney's Office
Angela Crolli – City Clerk's Office
Linda Owens - City Clerk's Office

Andrew Reed, Planning and Development Department, called the Briefing to order at 5:40 P.M.

Item No. C-1, U-0196-93(2):

Mr. Reed began the discussion by stating this application is a review of an existing billboard located by the Sahara overpass. The applicant has submitted a related application that is scheduled to be considered by the Planning Commission on April 12, 2001. Staff would like to have this item held until that meeting so the applications can be considered concurrently.

Item Nos. C-4, Z-0075-00, C-5, Z-0075-00(1), and C-6, U-0163-00:

Mr. Reed thought there would be representatives from the Nevada Department of Transportation attending this meeting. NDOT staff is waiting for conditions and advice from the Federal Highway Administration. When this was heard at the last meeting the audience was told that it would not be held in abeyance at any subsequent meeting.

Item Nos. C-15, V-0005-01, C-16, Z-0001-01(1) and C-17, TM-0006-01:

Mr. Reed said this is a residential development proposed for Washington and Robin. Because a related General Plan Amendment and Rezoning were held in abeyance from the March 7, 2001 City Council meeting until the March 21, 2001 City Council meeting, staff would like to have these items held in abeyance until the March 22, 2001 Planning Commission meeting.

Item No. D-1, SD-0002-01:

Mr. Reed noted that this is an elementary school that is proposed for the intersection of El Campo Grande and Leon Avenue. The School District has requested this item be withdrawn without prejudice.

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COMMISSIONERS BRIEFING:

Item No. D-4, Z-0033-97(21):

Bart Anderson, Public Works, noted that he will be recommending the first sentence in Condition No. 4 be deleted for this item. He noted Condition No. 3 requires all streets and drives shall comply with the requirements of the Title 18 Subdivision Code prior to submittal of a Tentative Map. The landscape plan shows a different configuration in that corner. There is some confusion as to which site plan they are using.

Item No. D-5, Z-0024-00(21):

Mr. Reed explained that this is a requested modification to the Lone Mountain West Development Plan. The applicant has requested abeyance to the April 12, 2001 Planning Commission meeting.

General Discussion:

Deputy City Attorney Bryan Scott advised as to how some of the votes should be handled, the system should be kept as it is with the final decision on the side of the majority that are available to vote.

Mr. Reed adjourned the Briefing at 5:46 P.M.

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6:00 PM

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

CALL TO ORDER:

6:00 P.M., Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada.

ROLL CALL:

Craig Galati -	Present
Chairman	
Richard Truesdell -	Present
Vice Chairman	
Michael Buckley	Present
Hank Gordon	Excused
Byron Goynes	Present (Left 8:17 pm)
Lanny Littlefield	Present
Stephen Quinn	Present

ANNOUNCEMENT:

Satisfaction of Open Meeting Law Requirements.

This meeting has been properly noticed and posted at the following locations:

Clark County Government Center,
500 South Grand Central Parkway
Senior Citizens Center,
450 East Bonanza Road
Clark County Courthouse,
200 East Carson Avenue
Court Clerk's Office Bulletin Board,
City Hall Plaza
City Hall Plaza, Special Outside Posting
Bulletin Board

MINUTES:

Approval of the minutes of the February 8, 2001 Planning Commission Meeting.

CHAIRMAN GALATI called the meeting to order at 6:00 P.M. He announced that ROBERT GENZER has been officially appointed Director of the Planning and Development Department. MR. GENZER responded that he appreciates this Planning Commission, as well as previous Commissions. He also thanked the City Employee's Association for their endorsement.

STAFF PRESENT:

Robert Genzer, Director,
Planning and Development Department
John Koswan, Manager,
Planning and Development Department
Andrew Reed, Senior Planner,
Planning and Development Department
Troy Jeschke, Planner II,
Planning and Development Department
Laura Martin, Planner I,
Planning and Development Department
Jody Donahue, Planning Technician,
Planning and Development Department
Bart Anderson, Project Engineer,
Public Works
Qiong Liu, Engineer,
Public Works
Bryan Scott, Deputy City Attorney,
City Attorney's Office
Angela Crolli, Deputy City Clerk,
City Clerk's Office
Linda Owens, Deputy City Clerk,
City Clerk's Office

CHAIRMAN GALATI announced this meeting is in compliance with the Open Meeting Law.

**Truesdell –
APPROVED
Unanimous
(Gordon excused)**

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ACTION

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

CHAIRMAN GALATI indicated the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

CHAIRMAN GALATI read the statement on the order of the items and limitations on persons wishing to be heard on an item.

CHAIRMAN GALATI noted the Rules of Conduct.

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ACTION

A.

CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

CHAIRMAN GALATI stated the Consent items may be discussed if a Commission Member or Applicant so desires.

A-1.

ABEYANCE - A-0005-00(A) - FORT APACHE CONVENIENCE, LIMITED LIABILITY COMPANY

Petition to Annex property generally located on the northeast corner of Cheyenne Avenue and Fort Apache Road (APN: 138-08-401-029, 030 and 031), containing approximately 2.5 acres of land, Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-1 THROUGH A-6, SUBJECT TO STAFF'S CONDITIONS

Motion carried with Buckley abstaining on Item No. A-2, which involves Spring Mountain Ranch who has been a client of his law firm.

(Gordon excused)

CHAIRMAN GALATI stated this is a Consent item.

NOTE: ROBERT GENZER, Director, Planning and Development, disclosed that Item No. A-2 is represented by a firm that has principals who are partners of his in a property outside the City of Las Vegas. Therefore, he has not been involved in the recommendation process on that item.

To be forwarded to the City Council in Ordinance form.

(6:12 - 6:13) 1 - 350

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ACTION

A-2.

**TM-0007-01 - SPRING MOUNTAIN RANCH -
SPRING MOUNTAIN RANCH, LIMITED
LIABILITY COMPANY**

Request for a Tentative Map for 394 Units on 63 acres adjacent to the south side of Iron Mountain Road, approximately 1,350 feet west of El Capitan Road, R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units per Acre) and R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. This approval constitutes a waiver of the minimum back-of-curb to back-of-curb street width standards.
2. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map, a new Tentative Map must be filed.
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Truesdell -

APPROVED ITEM NOS. A-1 THROUGH A-6, SUBJECT TO STAFF'S CONDITIONS

Motion carried with Buckley abstaining on Item No. A-2, which involves Spring Mountain Ranch who has been a client of his law firm.

(Gordon excused)

CHAIRMAN GALATI stated this is a Consent item.

NOTE: ROBERT GENZER, Director, Planning and Development, disclosed that Item No. A-2 is represented by a firm that has principals who are partners of his in a property outside the City of Las Vegas. Therefore, he has not been involved in the recommendation process for this item.

To be heard by the City Council on April 18, 2001.

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ACTION

**TM-0007-01 - SPRING MOUNTAIN RANCH -
SPRING MOUNTAIN RANCH, LIMITED
LIABILITY COMPANY**

APPROVED

Public Works

6. Construct half-street improvements including appropriate overpaving on Brent Lane, Iron Mountain Road, and Fort Apache Road adjacent to this site concurrent with development of this site. Construct all incomplete half-street improvements, if any, on Horse Drive adjacent to this.

7. Provide a public sewer stub at the intersection of Brent Lane and Blushing River Street, and at the intersection of Rusty Rifle Avenue and Fort Apache Road. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

8. An addendum to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways as recommended in the approved drainage plan/study.

9. All Final Maps based on this Tentative Map shall show the existing 10 foot wide Roadway Corridor Easement (which includes easements for roadway, drainage, fire hydrant, traffic signal, streetlighting, walkway and sewer purposes). Specifically, the "Open Space" widths adjacent to the south edge of Iron Mountain Road, the east edge of Fort Apache Road, and the north and south right-of-way boundaries of Horse Drive are subject to this.

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**TM-0007-01 - SPRING MOUNTAIN RANCH -
SPRING MOUNTAIN RANCH, LIMITED
LIABILITY COMPANY**

APPROVED

10. Site development to comply with all applicable conditions of approval for Z-132-93, the Spring Mountain Ranch Overall Lots 1-12 Tentative Map (TM-3-97), all terms of the Spring Mountain Ranch Development Agreement and all other site-related actions. Comply with all recommendations of the Master Traffic Impact Analysis and Master Drainage Plan for the Spring Mountain Ranch Planned Development.

11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

A-3.

**U-0133-99(1) - FARM & ALEXANDER
PROPERTIES ON BEHALF OF CITY
DEVELOPMENT GROUP**

Request for an Extension of Time of an approved Special Use Permit FOR THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH A PROPOSED 5,532 SQUARE FOOT CONVENIENCE STORE AND FAST FOOD RESTAURANT on the southeast corner of Alexander Road and Tenaya Way (APN: 138-10-501-009), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, the Special Use Permit shall be void unless another Extension of Time is granted.

2. Compliance with all Conditions of Approval of Special Use Permit U-0133-99.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-1 THROUGH A-6, SUBJECT TO STAFF'S CONDITIONS

Motion carried with Buckley abstaining on Item No. A-2, which involves Spring Mountain Ranch who has been a client of his law firm.

(Gordon excused)

CHAIRMAN GALATI stated this is a Consent item.

NOTE: ROBERT GENZER, Director, Planning and Development, disclosed that Item No. A-2 is represented by a firm that has principals who are partners of his in a property outside the City of Las Vegas. Therefore, he has not been involved in the recommendation process on that item.

To be heard by the City Council on April 18, 2001.

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ITEM

ACTION

A-4.

**U-0134-99(1) - FARM & ALEXANDER
PROPERTIES ON BEHALF OF CITY
DEVELOPMENT GROUP**

Request for an Extension of Time of an approved Special Use Permit FOR GASOLINE SALES IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on property located on the southeast corner of Alexander Road and Tenaya Way (APN: 138-10-501-009), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, the Special Use Permit shall be void unless another Extension of Time is granted.

2. Compliance with all Conditions of Approval of Special Use Permit U-0134-99.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-1 THROUGH A-6, SUBJECT TO STAFF'S CONDITIONS

Motion carried with Buckley abstaining on Item No. A-2, which involves Spring Mountain Ranch who has been a client of his law firm.

(Gordon excused)

CHAIRMAN GALATI stated this is a Consent item.

NOTE: ROBERT GENZER, Director, Planning and Development, disclosed that Item No. A-2 is represented by a firm that has principals who are partners of his in a property outside the City of Las Vegas. Therefore, he has not been involved in the recommendation process on that item.

To be heard by the City Council on April 18, 2001.

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ITEM

ACTION

A-5.

Z-0016-96(3) - H. H. F., INC.

Request for an Extension of Time of an approved Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: R-PD9 (Residential Planned Development - 9 Units per Acre) on 5.23 Acres on the southwest corner of Gowan Road and Jensen Street, (APN: 138-07-301-006), Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A two-year time limit from the date of City Council approval.

2. Conformance to all applicable Conditions of Approval of Zone Change (Z-0016-96) and Extension of Time for the Rezone [Z-0016-96(1)] as required by the Planning and Development Department and the Department of Public Works.

Public Works

3. Original Condition #12 of Zoning Reclassification Z-16-96 shall be revised to read as follows: "Construct half-street or full-width improvements, as necessary, to provide two-way vehicular access to this site as determined by the City Engineer, on Gowan Road from the center of Jensen Street westward to, at minimum, the west edge of the proposed access drive connecting this site to Gowan Road. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Construction drawings for all required improvements on Gowan Road shall commence within 12 months of approval of this Extension of Time action by the City Council. Failure to comply with this condition may result in this item being reconsidered by the City Council."

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-1 THROUGH A-6, SUBJECT TO STAFF'S CONDITIONS

Motion carried with Buckley abstaining on Item No. A-2, which involves Spring Mountain Ranch who has been a client of his law firm.

(Gordon excused)

CHAIRMAN GALATI stated this is a Consent item.

NOTE: ROBERT GENZER, Director, Planning and Development, disclosed that Item No. A-2 is represented by a firm that has principals who are partners of his in a property outside the City of Las Vegas. Therefore, he has not been involved in the recommendation process on that item.

To be heard by the City Council on April 18, 2001.

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ACTION

A-6.

Z-0071-98(2) - CRAIG MOORE

Request for a Reinstatement and Extension of Time of an approved Rezoning FROM: R-1 (Single Family Residential) TO: C-1 (Limited Commercial) of 1.74 acres located on the south side of Vegas Drive, approximately 100 feet west of Pyramid Drive (APN: 139-30-501-003), Ward 5 (Weekly).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. The zoning shall expire on January 25, 2002, unless an Extension of Time has been granted.

2. Conformance to all applicable Conditions of Approval of Z-0071-98 and Z-0071-98(1).

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell -

APPROVED ITEM NOS. A-1 THROUGH A-6, SUBJECT TO STAFF'S CONDITIONS

Motion carried with Buckley abstaining on Item No. A-2, which involves Spring Mountain Ranch who has been a client of his law firm.

(Gordon excused)

CHAIRMAN GALATI stated this is a Consent item.

NOTE: ROBERT GENZER, Director, Planning and Development, disclosed that Item No. A-2 is represented by a firm that has principals who are partners of his in a property outside the City of Las Vegas. Therefore, he has not been involved in the recommendation process on that item.

To be heard by the City Council on April 18, 2001.

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B.	None.
<u>DIRECTOR’S BUSINESS:</u>	
B-1.	
There are no items for consideration at this time.	

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ACTION

C.

PUBLIC HEARING ITEMS:

C-1.

ABEYANCE - U-0196-93(2) - REBEL OIL COMPANY, INC. ON BEHALF OF LAMAR OUTDOOR ADVERTISING COMPANY

Required Two Year Review on an approved Special Use Permit which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign at 1900 West Sahara Avenue (APN: 162-04-402-007), M (Industrial) Zone, Ward 1 (M. McDonald).

STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE APRIL 12, 2001 PLANNING COMMISSION MEETING SO THAT IT MAY BE CONSIDERED WITH A RELATED ITEM.

Truesdell -

ABEYANCE TO THE APRIL 12, 2001 PLANNING COMMISSION MEETING

Unanimous

(Gordon excused)

ANDREW REED, Planning and Development, stated that staff has received a related application for this billboard that will be considered by the Planning Commission on April 12, 2001. Therefore, this item should be held in abeyance until the April 12, 2001 meeting.

KELLEEN COTA, Lamar Outdoor Advertising Company, 1863 Helm Drive, agreed to have this item held in abeyance.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the Planning Commission on April 12, 2001.

(6:04- 6:06) 1 - 120

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ITEM

ACTION

C-2.

ABEYANCE - U-0200-00 - RAUL GIL, ET AL

Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR FOR THE SALE OF LIQUOR IN CONJUNCTION WITH AN EXISTING RESTAURANT & PROPOSED RESTAURANT ADDITION (CASA DON JUAN) located at 1204 South Main Street (APN's: 162-03-110-103 and 104) C-M (Commercial/Industrial) Zone, Ward 3 (Reese).

NOTICES MAILED 142 (Mailed with V-0086-00) (1/11/01 PC)

APPROVALS 0

PROTESTS 1 Speaker

STAFF RECOMMENDATION: APPROVAL of Existing Restaurant for Restaurant Service Bar Only, subject to:

Planning and Development

1. The Restaurant Service Bar shall only be conducted in the existing portion of the restaurant (Casa Don Juan).
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
4. If this Special Use Permit is not exercised within one year of the approval, this Special Use Permit shall be void unless an Extension of Time is granted.
5. All City Code requirements and all City departments' design standards shall be met.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS, WITH AN ADDITIONAL CONDITION THAT THE APPLICANT SHALL APPLY FOR A RESTAURANT SERVICE BAR LICENSE ONLY.

Motion carried with Truesdell abstaining inasmuch as he owns property within the renotification area (Gordon excused)

LAURA MARTIN, Planning and Development, stated this is a Special Use Permit for the sale of liquor for on-premise consumption in conjunction with meals. There is an existing Special Use Permit for beer and wine sales. The restaurant service bar will be an accessory use to the existing Casa Don Juan restaurant and the proposed restaurant addition. The Las Vegas Zoning Code requires the restaurant service bar to be a minimum of 400 feet from any church, synagogue, school, child care facility licensed for more than 12 children or City park as measured from property line to property line. In this case, there are no protected uses known to be within the minimum distance requirement. Staff supports the request for the restaurant service bar for the existing portion only, not the addition due to insufficient on-site parking. The addition will increase the parking by 36 spaces making the total required come to 65 spaces. Staff recommended approval of the existing restaurant for the restaurant service bar only, subject to the conditions and an additional condition stating: With this approval, the applicant shall apply for only a restaurant service bar license.

TIM AYALA, 4600 Sunset Road, Suite #148, appeared to represent the applicant. The existing restaurant is located on the north side of the proposed addition.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. He heard at the previous days City Council meeting that the applicant will be losing his liquor license very soon

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ABEYANCE - U-0200-00 - RAUL GIL, ET AL

Public Works

6. This site shall be redesigned to eliminate parking lot encroachment into existing public rights-of-way on California Street. No portion of public right-of-way may be used to fulfill on-site parking requirements. Landscape and maintain all unimproved right-of-way on California Street adjacent to this site and submit an Encroachment Agreement for all landscaping and private improvements located in the California Street public right-of-way adjacent to this site prior to occupancy of this site.

Alternatively, an Application to Vacate the existing public right-of-way in conflict with this plan on California Street between Main Street and Commerce Street shall be submitted and approved by the City Council prior to the issuance of permits or occupancy for the proposed expansion to this site.

7. Construct all incomplete half-street improvements (streetlights) adjacent to this site on California Street and construct full-width alley improvements adjacent to this site prior to occupancy of the proposed expansion to this site.

8. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site as required by the Department of Public Works.

9. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

CHAIRMAN GALATI declared the Public Hearing closed.

MR. AYALA appeared to clarify that this is not a request for a tavern and not to buy a license. They are just asking for a service bar in conjunction with a restaurant. They cannot have a tavern at this location because there is one within 1,500 feet.

NOTE: See Item No. C-3 for related discussion.

NOTE: ROBERT GENZER, Planning and Development, disclosed that on Item Nos. C-2 and C-3 property owned by his wife and her parents is located within the notification area, so he has not been involved in the recommendation process.

To be heard by the City Council on April 18, 2001.

(6:13 - 6:29) 1 - 400

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ACTION

ABEYANCE - U-0200-00 - RAUL GIL, ET AL

APPROVED

10. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

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COUNCIL CHAMBERS -400 EAST STEWART AVENUE

ITEM

ACTION

C-3.

ABEYANCE - V-0086-00 - RAUL GIL, ET AL

Request for a Variance TO ALLOW 23 PARKING SPACES WHERE 65 SPACES ARE THE MINIMUM REQUIRED at 1204 South Main Street (APN's: 162-03-110-103 and 104), C-M (Commercial/Industrial) Zone, Ward 3 (Reese).

NOTICES MAILED 142 (Mailed with U-0200-00) (1/11/01 PC)

APPROVALS 0

PROTESTS 1 Speaker

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. This Variance shall be amended to allow for 46 parking spaces per the submitted Parking Agreement between Casa Don Juan Restaurant and A-1 Office Machine for 30 parking spaces.
2. If this Variance is not exercised within one year from date of approval by the City Council it will become void unless an Extension of Time is granted by the City Council.
3. Submit a revised site plan indicating the parking spaces meeting minimum Code requirements - revise handicap space, indicate compact parking spaces where utilized, and indicate one-way drive aisle, to the satisfaction of Planning & Development staff.
4. City Code requirements and design standards of all City Departments which are not affected by approval of this Variance must be satisfied.
5. This Variance shall be subject to a one (1) year review.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS

Motion carried with Galati voting NO and Truesdell abstaining inasmuch as he owns property in the notification area (Gordon excused)

LAURA MARTIN, Planning and Development, stated the applicant's justification letter states that due to the size of the property, the amount of the parking required by code cannot be accomplished. The 23 parking spaces are located west of the existing portion of the restaurant. A parking agreement between Casa Don Juan and A-1 Office Machines, which is located at 1215 South Commerce Street, was submitted to staff. That agreement will provide an additional 30 parking spaces. The leased parking spaces are located west of the restaurant across the alleyway adjacent to Commerce Street. Seven of the original parking spaces are adjacent to California Street and encroach into the existing public right-of-way, which cannot be used to fulfill the on-site parking requirements. The total parking that may be required is 46 spaces. The restaurant addition, which more than doubles the size of the restaurant, will create too intense of a use for this site. Staff finds no evidence of unique or extraordinary circumstances and believes that the applicant has created a self-imposed hardship by attempting to over utilize the site by the expansion of the Casa Don Juan restaurant. Staff recommended denial.

TIM AYALA, 4600 Sunset Road, Suite #148, appeared to represent the applicant. The existing restaurant is located on the north side of the proposed addition. The parking is encroaching into the City boundaries. Therefore, they are applying for a Vacation of that piece on the north side. They submitted a parking agreement. His client is leasing the entire parcel, which will provide another 35 parking spaces in addition to the existing parking. If they receive a Vacation, then they will only need seven more spaces. However, they have not submitted a Vacation application.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. The City has set the parking standards at the minimum. The applicants take that minimum and start down from there. He heard at the previous days City Council meeting that the applicant will be losing his liquor license very soon

CHAIRMAN GALATI declared the Public Hearing closed.

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COUNCIL CHAMBERS -400 EAST STEWART AVENUE

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ABEYANCE - V-0086-00 - RAUL GIL, ET AL

Public Works

6. This site shall be redesigned to eliminate parking lot encroachment into existing public rights-of-way on California Street. No portion of public right-of-way may be used to fulfill on-site parking requirements. Landscape and maintain all unimproved right-of-way on California Street adjacent to this site and submit an Encroachment Agreement for all landscaping and private improvements located in the California Street public right-of-way adjacent to this site prior to occupancy of this site.

Alternatively, an Application to Vacate the existing public right-of-way in conflict with this plan on California Street between Main Street and Commerce Street shall be submitted and approved by the City Council prior to the issuance of permits or occupancy for the proposed expansion to this site.

Standard Conditions

7. All City Code requirements and design standards of all City departments must be satisfied.

MR. AYALA appeared to clarify that this is not a request for a tavern and not to buy a license. They are just asking for a service bar in conjunction with a restaurant. They cannot have a tavern at this location because there is one within 1,500 feet.

COMMISSIONER QUINN noted that this restaurant is in a commercial area. The majority of the people that patronize the restaurant just walk to it, so they should be able to have a Variance on the parking because the fact that they do not meet the parking requirements would not affect the surrounding properties.

BART ANDERSON, Public Works, said he was unaware of a Vacation application. This request should be approved as if it were an application for the full number of parking spaces.

MS. MARTIN explained that 65 spaces are required. They have 16 on-site spaces and will be getting 30 spaces with the parking agreement. With the Vacation they would have 53 spaces, so they are still 12 spaces short.

COMMISSIONER QUINN noted that if the parking ordinance is followed, there would be a building, parking garage, building, parking garage, to meet the parking requirements in the downtown area. This is an urban area. He felt the parking ordinance is inappropriate for this area. The business at this restaurant is generally from 6:00 a.m. to 5:00 p.m. After those hours there are many empty parking spaces. Hopefully this business will bring people into the area, which would generate more people walking and less crime. In addition, it could be an incentive for adjacent properties to be developed.

CHAIRMAN GALATI was uncomfortable with approving a Parking Variance not knowing if the applicant will be able to obtain a Vacation.

NOTE: See Item No. C-2 for related discussion.

NOTE: ROBERT GENZER, Planning and Development, disclosed that on Item Nos. C-2 and C-3 property owned by his wife and her parents is located within the notification area, so he has not been involved in the recommendation process.

To be heard by the City Council on April 18, 2001.

(6:13 - 6:29) 1 - 400

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

C-4.

**ABEYANCE - RENOTIFICATION - Z-0075-00 -
STATE OF NEVADA DEPARTMENT OF
TRANSPORTATION ON BEHALF OF CITADEL
STORAGE**

Request for a Rezoning FROM: R-1 (Single Family Residential); R-2 (Medium-Low Density Residential); R-3 (Medium Density Residential); R-PD21 (Residential Planned Development - 21 Units per Acre) and C-1 (Limited Commercial) TO: C-1 (Limited Commercial) and C-V (Civic) on 11.47 Acres within airspace beneath the US-95 Freeway between Maryland Parkway and 23rd Street, PROPOSED USE: Mini-Warehouse, Storage and Park Area, Ward 3 (Reese) and Ward 5 (Weekly).

NOTICES MAILED 701 (Mailed with Z-0075-00(1) and U-0163-00) (3/8/01 PC)
0075- 701 (Mailed with Z-00(1) and U-0163-00) (2/8/01 PC)
0075- 695 (Mailed with Z-00(1) and U-0163-00) (11/2/00 PC)
601 [Mailed with Z-0075-00(1)] (10/12/00 PC)

APPROVALS 1 (1 within notification radius) (11/2/00 PC)

PROTESTS 1 (1 within notification radius) (2/8/01 PC)
1 (1 within notification radius) (11/2/00 PC)
84 (10/12/00 PC)
5 Speakers for abeyance
15 Persons in Audience

STAFF RECOMMENDATION: APPROVAL, subject to:

Buckley -
WITHDRAWN WITHOUT PREJUDICE ITEM NOS. C-4, C-5 AND C-6
Unanimous
(Gordon excused)

NOTE: A first motion was made by Buckley to TABLE Item Nos. C-4, C-5 and C-6 with the items renoticed at the applicant's expense. Motion resulted in a tie vote with Galati, Quinn and Truesdell voting NO. (Gordon excused)

NOTE: A second motion was made by Quinn to hear Item Nos. C-4, C-5 and C-6 at this meeting. Motion resulted in a tie vote with Buckley, Goynes and Truesdell voting NO. (Gordon excused)

CHAIRMAN GALATI clarified that when this item was last acted upon he voted to hold it in abeyance. However, in meetings in November he abstained from voting on these items. In November he had a contract with the State of Nevada, Department of Transportation, but that contract expired on December 31, 2000. Therefore, at the last meeting he did not have a contract.

COMMISSIONER TRUESDELL also clarified that when this item was held in abeyance two meetings ago he voted in favor. In November he abstained based on the fact that he was involved in an ongoing negotiation with NDOT over a space lease, which is no longer an issue.

ANDREW REED, Planning and Development, stated this project will consist of four phases. Phase 1 will be a mini-storage facility underneath the freeway from Maryland Parkway to 14th Street. That area is planned for a 226-unit storage facility. Phase 2 will consist of a series of storage facility buildings located between 14th Street and Bruce Street. Development plans associated with Phases 1 and 2 will be considered under Item C-5, Z-0075-00(1). Phase 3 between 19th and 21st Streets is proposed to be transferred to the City of Las Vegas for development as a park. The applicant indicates that Phase 4 located between Bruce and

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ITEM

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**ABEYANCE - RENOTIFICATION - Z-0075-00 -
STATE OF NEVADA DEPARTMENT OF
TRANSPORTATION ON BEHALF OF CITADEL
STORAGE**

Planning and Development

1. The approval is limited to those parcels located between Maryland Parkway and 14TH Street. All parcels located east of 14TH Street shall be eliminated from this request.

2. A Resolution of Intent with a two-year time limit.

Public Works

3. Construct all incomplete half-street improvements (sidewalk) on Maryland Parkway, the north and south terminus of 13th Street, 14th Street, adjacent to this site concurrent with development of this site.

4. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas

19th Street and 21st Street and 23rd Street will be developed with additional mini-storage facilities if there is a demand. The C-1 (Limited Commercial) zoning proposed to be located between Maryland and 14th Street is compatible with the existing R-3 (Medium Density Residential) development in the area. The rezoning of the parcels east of 14th Street to C-1 (Limited Commercial) and C-V (Civic) zoning districts is incompatible with the adjacent properties which are developed primarily with single family homes. Staff recommended approval, subject to the conditions.

ATTORNEY JEFF BENDAVID, Moran & Associates, 630 South 4th Street, appeared with MARIO SANCHEZ, Citadel Storage, 3960 Howard Hughes Parkway, 5th Floor, to represent Citadel Storage. ATTORNEY BENDAVID requested an abeyance because there are some additional issues with the Federal Highway Administration that need to be resolved. NDOT had initial issues with the federal agency, one of which is how the mini-storage was going to fit under the freeway. The freeway agency wants additional issues to be worked out, which should be accomplished in the next week. They have been attempting to get those issues resolved as late as this afternoon. There are some plans that are being sent to the federal agency that will resolve the issues. The applicant is willing to pay for renotification to the residents.

LISA FREEDMAN, Senior Deputy Attorney General, Nevada Department of Transportation, said there are some problems that need to be worked out with the Federal Highway Administration and concurred with the abeyance request.

CHAIRMAN GALATI recalled that the Nevada Department of Transportation was objecting to this application at a previous meeting.

MS. FREEDMAN said they have changed their opinion of this request. There was some information that was missing which caused an objection to this request previously. The recommendation by NDOT will depend on whether they can reach an agreement with the Federal Highway Administration. If an agreement cannot be reached, these applications will be withdrawn.

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STATE OF NEVADA DEPARTMENT OF
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STORAGE**

recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits,

There were approximately 15 persons in the audience in protest of this item.

COMMISSIONER TRUESDELL wondered when the lease was executed by NDOT with the applicant and what has changed in this area. There have been many meetings and delays on this project with less residents attending each meeting.

ATTORNEY BENDAVID responded that the original lease was executed in 1990, but that project did not go forward until last year. They are not trying to wear down the residents, but the major issue is safety. They were unaware that there needed to be approval from the federal agency on the additional conditions. He thought the Planning Commission would want to approve an item that has also been endorsed by all the appropriate agencies.

COMMISSIONER LITTLEFIELD wondered if NDOT has a problem with the entire project or just the mini-storage portion.

ATTORNEY BENDAVID responded that NDOT is concerned about what may be stored in the mini-storage portion. Part of the park is directly underneath the freeway and a portion outside the freeway. They do not have a design for the park because the City will be taking over that project. There will probably be tennis courts, etc. underneath the freeway with the exposed area landscaped with grass.

CHAIRMAN GALATI declared the Public Hearing open to discuss whether these items should be held in abeyance.

TODD FARLOW, 240 North 19th Street, appeared in protest. This proposal has been going on for years, so this item should not be held in abeyance.

RENN REED, 1905 Cedar Avenue, appeared in protest. She stated she had submitted a petition and a letter in opposition. The letter was signed by a gentleman who has had 24 years in the management of storage warehouse facilities. She has also spoken with the County Assessor's Office and UNLV's Business Center. They have indicated this project would depreciate the property values. She would like to have this item heard at this meeting.

BONNIE BRADLEY, 15th Street and Linden Avenue, appeared in approval. There is no place for the children to play. She would like to have this item held in abeyance.

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**ABEYANCE - RENOTIFICATION - Z-0075-00 -
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whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site if allowed by the Planning Engineer.

Standard Conditions

7. All City Code requirements and design standards of all City departments must be satisfied.

KATHY JACOBSEN, 237 North 20th Street, appeared in protest. She will come back if these applications are held in abeyance.

AL GALLEG0, Citizen of Las Vegas, appeared in protest. NDOT wrote a letter indicating they object to this project. The Attorney General's Office of the State of Nevada does not have a right to object to this proposal. The only person that would have a right is Tom Stevens, the Director of Transportation.

CHAIRMAN GALATI declared the Public Hearing closed.

ATTORNEY BENDAVID added that an abeyance request is for the benefit of everyone involved because it makes sure that the safeguards the federal agency wants are going to be in place. He wants to return to the Planning Commission with an approval from the federal agency. They were unaware that there was a problem with NDOT on this proposal until the last meeting.

CHAIRMAN GALATI was concerned that at the last meeting the neighbors were told this proposal would go forward at this meeting. This project has been discussed for approximately ten years.

DEPUTY CITY ATTORNEY BRYAN SCOTT said the Attorney General's Office does represent the Nevada Department of Transportation.

COMMISSIONER QUINN wondered about the number of signatures on the petition submitted by MS. RENN.

ROBERT GENZER, Director, Planning and Development, explained that when a petition is received it is reviewed by staff and if there are multiple signatures from one address they become one protest. However, he was unsure if that is the case in regard to that petition.

RENN REED clarified that the petition contains one name per household.

COMMISSIONER GOYNES suggested having the citizens speak on this proposal even if it is held in abeyance. He felt the citizens should come to the meetings no matter how many times this proposal is heard. Perhaps the applicant should hold a neighborhood meeting in that area.

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**ABEYANCE - RENOTIFICATION - Z-0075-00 -
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COMMISSIONER BUCKLEY felt this proposal should be tabled since there are unresolved issues with the Federal Highway Administration and renoticed when all the issues are resolved. He made a motion to TABLE these items, which resulted in a tie vote.

COMMISSIONER QUINN made a motion to hear these items at this meeting, which resulted in a tie vote.

COMMISSIONER BUCKLEY commented after those votes were posted that it would be unfair to the City Council to hear these items when all the issues have not been resolved at the Planning Commission level.

COMMISSIONER QUINN added that the applicant stated earlier that the issues would be resolved in seven days.

DEPUTY CITY ATTORNEY BRYAN SCOTT advised that since the motion to table these items did not pass by a majority, they could be considered denied and the items heard by the City Council or the applicant could withdraw the applications.

CHAIRMAN GALATI felt the proper procedure would be to have the applicant withdraw these applications without prejudice and submit new applications.

ATTORNEY BENDAVID said they would withdraw Item Nos. C-4, C-5 and C-6.

CHAIRMAN GALATI announced to the audience after the vote was posted that the applicant could reapply at any time.

NOTE: See Item Nos. C-5 and C-6 for related discussion.

This is final action.

(6:29 - 7:07) 1 - 970

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ITEM

ACTION

C-5.

ABEYANCE - RENOTIFICATION - Z-0075-00(1) - STATE OF NEVADA DEPARTMENT OF TRANSPORTATION ON BEHALF OF CITADEL STORAGE

Request for a Site Development Plan Review FOR A PROPOSED 106,052 SQUARE FOOT MINI-WAREHOUSE FACILITY within airspace beneath the US-95 Freeway, between Maryland Parkway and Bruce Street, R-2 (Medium-Low Density Residential); R-3 (Medium Density Residential); R-PD21 (Residential Planned Development - 21 Units per Acre) and C-1 (Limited Commercial) Zones, PROPOSED: C-1 (Limited Commercial), Ward 5 (Weekly).

<u>NOTICES MAILED</u>	701 (Mailed with Z-0075-00 and U-0163-00) (3/8/01 PC)
0075-	701 (Mailed with Z-0075-00 and U-0163-00) (2/8/01 PC)
0075-	695 (Mailed with Z-0075-00 and U-0163-00) (11/2/00 PC)
0075-	601 (Mailed with Z-0075-00) (10/12/00 PC)

APPROVALS 1 (1 within notification radius) (11/2/00 PC)

PROTESTS 1 (1 within notification radius) (2/8/01 PC)
1 (1 within notification radius) (11/2/00 PC)
84 (10/12/00 PC)
5 Speakers for abeyance

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Buildings 18, 19 and 20 (and the related parcels) shall be deleted from this request.

Buckley -
WITHDRAWN WITHOUT PREJUDICE ITEM NOS. C-4, C-5 AND C-6
Unanimous
(Gordon excused)

NOTE: A first motion was made by Buckley to TABLE Item Nos. C-4, C-5 and C-6 with the items renoticed at the applicant's expense. Motion resulted in a tie vote with Galati, Quinn and Truesdell voting NO. (Gordon excused)

NOTE: A second motion was made by Quinn to hear Item Nos. C-4, C-5 and C-6 at this meeting. Motion resulted in a tie vote with Buckley, Goynes and Truesdell voting NO. (Gordon excused)

CHAIRMAN GALATI clarified that when this item was last acted upon he voted to hold it in abeyance. However, in meetings in November he abstained from voting on these items. In November he had a contract with the State of Nevada, Department of Transportation, but that contract expired on December 31, 2000. Therefore, at the last meeting he did not have a contract.

COMMISSIONER TRUESDELL also clarified that when this item was held in abeyance two meetings ago he voted in favor. In November he abstained based on the fact that he was involved in an ongoing negotiation with NDOT over a space lease, which is no longer an issue.

ANDREW REED, Planning and Development, stated this is a request for a Site Development Plan Review for 20 mini-storage buildings underneath the US95/I-515 freeway. The development plans indicate that 17 of the buildings will be placed on the parcel located between Maryland Parkway and 14th Street. One building will be located on the following parcels underneath the freeway: Between 14th Street and 15th Street, between 15th Street and 16th Street, and between 16th Street and Bruce Street. Staff has no objection to the mini-storage complex located between Maryland and 14th. The three remaining proposed mini-storage buildings located between 14th and Bruce are incompatible with adjacent properties that are developed with single-family homes.

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ABEYANCE - RENOTIFICATION - Z-0075-00(1) - STATE OF NEVADA DEPARTMENT OF TRANSPORTATION ON BEHALF OF CITADEL STORAGE

2. The applicant shall submit for an Administrative Review of landscaping (for each individual parcel) one year after the Certificate of Occupancy for a structure is approved.

3. All structures shall have a split-face block exterior.

4. Conformance to all applicable conditions of Rezoning (Z-0075-00).

Public Works

5. A Reversionary Map shall be recorded prior to the issuance of any building or grading permits.

6. This site plan shall be modified to eliminate building encroachment over the existing public sewer line located within the Thirteenth Street alignment. Alternatively, the applicant may submit a public sewer relocation/abandonment plan to relocate or abandon the existing public sewer line. If this alternative is chosen by the applicant, the required relocation plan shall have received approval by the City Engineer prior to the issuance of any permits for this site, and the developer shall bear all costs associated with implementing the approved relocation/abandonment plans. The public sewer shall be relocated or abandoned prior to construction of any structure overlying any portion of the existing public sewer line.

7. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a.

Staff has no objection to the size and location of the landscape planters that are shown. However, because many of the planters will be located within shaded areas under the freeway, staff is uncertain whether any landscaping within those planters will thrive. Therefore, staff has added a condition requiring the applicant to submit for an Administrative Review of landscaping for each individual parcel one year after the Certificate of Occupancy for each structure is approved. The purpose of those reviews will be to evaluate the landscaping and determine whether or not it should be replaced with shade tolerant types.

In regard to the elevations of the mini-storage facilities, staff notes that the Urban Design Guidelines and Standards discourage buildings with a metal siding exterior. Therefore, there is a condition requiring all structures to have a split faced block exterior. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

ATTORNEY JEFF BENDAVID, Moran & Associates
MARIO SANCHEZ, Citadel Storage
LISA FREEDMAN, Nevada Department of Transportation
TODD FARLOW, 240 North 19th Street
RENN REED, 1905 Cedar Avenue
BONNIE BRADLEY, 15th and Linden Avenue
KATHY JACOBSEN, 237 North 20th Street
AL GALLEGGO, Citizen of Las Vegas
ROBERT GENZER, Planning and Development
DEPUTY CITY ATTORNEY BRYAN SCOTT

CHAIRMAN GALATI declared the Public Hearing closed. He announced to the audience after the vote was posted that the applicant could reapply at any time.

NOTE: See Item Nos. C-4 and C-6 for related discussion.

This is final action.

(6:29 - 7:07) 1 - 970

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ABEYANCE - RENOTIFICATION - Z-0075-00(1) - STATE OF NEVADA DEPARTMENT OF TRANSPORTATION ON BEHALF OF CITADEL STORAGE

8. The proposed access gates shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before stopping to operate the gate entry system. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.

Standard Conditions

9. All development shall be in conformance with the Site Development plan and building elevations as amended by the above conditions.

10. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

11. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

12. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

13. All City Code requirements and design standards of all City departments must be satisfied.

WITHDRAWN WITHOUT PREJUDICE

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

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ABEYANCE - RENOTIFICATION - Z-0075-00(1) - STATE OF NEVADA DEPARTMENT OF TRANSPORTATION ON BEHALF OF CITADEL STORAGE

14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

15. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet.

16. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.

17. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

WITHDRAWN WITHOUT PREJUDICE

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

C-6.

**ABEYANCE - RENOTIFICATION - U-0163-00 -
STATE OF NEVADA DEPARTMENT OF
TRANSPORTATION ON BEHALF OF CITADEL
STORAGE**

Request for a Special Use Permit FOR A PROPOSED MINI-WAREHOUSE FACILITY within airspace beneath the US-95 Freeway, between Maryland Parkway and 23rd Street, R-2 (Medium-Low Density Residential); R-3 (Medium Density Residential); R-PD21 (Residential Planned Development - 21 Units per Acre) and C-1 (Limited Commercial) Zones, Proposed C-1 (Limited Commercial), Ward 5 (Weekly).

NOTICES MAILED 701 [Mailed with Z-0075-00 and Z-0075-00(1)] (3/8/01 PC)
701 [Mailed with Z-0075-00 and Z-0075-00(1)] (2/8/01 PC)
695 [Mailed with Z-0075-00 and Z-0075-00(1)] (11/2/00 PC)
156 (10/12/00 PC)

APPROVALS 1 (1 within notification radius) (11/2/00 PC)

PROTESTS 1 (1 within notification radius) (2/8/01 PC)
1 (1 within notification radius) (11/2/00 PC)
83 (10/12/00 PC)
5 Speakers for abeyance

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The approval is limited to those parcels located between Maryland Parkway and 14TH Street. All parcels located east of 14TH Street shall be eliminated from this request.

2 The use shall be limited to the parcels between Maryland Parkway and 14TH Street

**Buckley -
WITHDRAWN WITHOUT PREJUDICE ITEM NOS. C-4, C-5
AND C-6
Unanimous
(Gordon excused)**

CHAIRMAN GALATI clarified that when this item was last acted upon he voted to hold it in abeyance. However, in meetings in November he abstained from voting on these items. In November he had a contract with the State of Nevada, Department of Transportation, but that contract expired on December 31, 2000. Therefore, at the last meeting he did not have a contract.

COMMISSIONER TRUESDELL also clarified that when this item was held in abeyance two meetings ago he voted in favor. In November he abstained based on the fact that he was involved in an ongoing negotiation with NDOT over a space lease, which is no longer an issue.

ANDREW REED, Planning and Development, stated that the mini-storage facility located between Maryland and 14th Street would be compatible with the adjacent apartment land uses and zoning district. The mini-storage uses located east of 14th Street are incompatible with the adjacent properties, which are developed primarily with single-family homes. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

ATTORNEY JEFF BENDAVID, Moran & Associates
MARIO SANCHEZ, Citadel Storage
LISA FREEDMAN, Nevada Department of Transportation
TODD FARLOW, 240 North 19th Street
RENN REED, 1905 Cedar Avenue
BONNIE BRADLEY, 15th and Linden Avenue
KATHY JACOBSEN, 237 North 20th Street
AL GALLEG0, Citizen of Las Vegas
ROBERT GENZER, Planning and Development
DEPUTY CITY ATTORNEY BRYAN SCOTT

CHAIRMAN GALATI declared the Public Hearing closed. He announced to the audience after the vote was posted that the applicant could reapply at any time.

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**ABEYANCE - RENOTIFICATION - U-0163-00 -
STATE OF NEVADA DEPARTMENT OF
TRANSPORTATION ON BEHALF OF CITADEL
STORAGE**

3. If this Special Use Permit is not exercised within two years after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.

4. No business of any type shall be conducted from within any mini-storage unit.

NOTE: See Item Nos. C-4 and C-5 for related discussion.

This is final action.

(6:29 - 7:07) 1 - 970

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ACTION

C-7.

VAC-0001-01 - PERMA-BILT

Petition for a Vacation to vacate Right-of-Way Easement Grants generally located on the northeast corner of Gowan Road and Barden Road, Ward 4 (Brown).

NOTICES MAILED 2

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

Public Works

2. All improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

3. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #1 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS

Unanimous

(Gordon excused)

LAURA MARTIN, Planning and Development, stated these right-of-way easement grants are to be vacated by the Bureau of Land Management Right-of-Way Grants for roadways. The applicant intends to fully develop the site. These right-of-way easement grants no longer serve the purpose they were utilized for and the Vacation will not result in any landlocked parcels. Staff recommended approval, subject to the conditions.

BRIAN PSIODA, VTN Nevada, 2727 South Rainbow Boulevard, said he concurs with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: ROBERT GENZER, Planning and Development, announced that this item is being represented by a firm whose principals are partners of his in property outside the City of Las Vegas. Therefore, he has not been involved in the recommendation process.

To be heard by the City Council on April 18, 2001.

(7:07 - 7:10) 1 - 2470

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VAC-0001-01 - PERMA-BILT

hydrant purposes shall be retained on all Vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

4. Development of these sites shall comply with all applicable Conditions of Approval for Z-33-97, the Lone Mountain Master Development Plan, and all other applicable site-related actions.

Standard Conditions

5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

6. All development shall be in conformance with code requirements and design standards of all City departments.

APPROVED

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ITEM

ACTION

C-8.

U-0025-01 - CREATIONS LOVE, INC.

Request for a Special Use Permit FOR A RESCUE MISSION/SHELTER FOR THE HOMELESS located at 2528 Fremont Street (APN: 162-01-111-011), C-2 (General Commercial) Zone, Ward 3 (Reese).

NOTICES MAILED 77

APPROVALS 6 Speakers

PROTESTS 13 (6 inside notification radius; 7 outside radius)
13 Speakers
8 Letters

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Standard Conditions

1. All City Code requirements and design standards of all City departments must be satisfied.

**Buckley -
DENIED
Unanimous
(Gordon excused)**

ANDREW REED, Planning and Development, stated this request is located on a 3,125 square foot parcel, which is currently developed with two buildings. Building One is in the front portion of the site adjacent to Fremont Street with Building Two located in the rear. The floor plan indicates Building One contains a kitchen, restroom, shower facilities and open area that can be used for meetings or provide space for overnight accommodations of the homeless.

The floor plan for Building Two indicates the structure will be divided into two apartments, each containing two beds and a restroom with shower.

No physical changes to the site are proposed.

A rescue mission/shelter for the homeless is incompatible with the tourist-oriented destination located in the immediate vicinity. The Las Vegas Redevelopment Plan does not support a homeless shelter in this area. That Plan designates this area for resident serving commercial uses. The land map also indicates it would allow a mixture of high density residential.

This use is too intense for the subject parcel due to its small size of 3,125 square feet. Staff recommended denial.

GREG WALKER, 2300 West Sahara Avenue, appeared on behalf of the applicant. This use is for a maximum of eight individuals and the size is sufficient to accommodate eight individuals. There is sufficient distance between the Castaways Hotel/Casino and the location of this proposed shelter. There is an existing business on this site, which is designed to take individuals who have difficulty in finding employment and give them an opportunity to work. Two pastors are involved in the program.

CHAIRMAN GALATI declared the Public Hearing open.

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TODD FARLOW, 240 North 19th Street, appeared in protest. This is a change from the City's objectives. Three or four years ago the City had a detailed plan laid out to address the long-term issue of the homeless. That Plan involved moving the homeless off the streets into a homeless shelter, which the City funded for over a million dollars and is known as M.A.S.H. At that center issues as to why they are homeless were to be addressed, including their addictions and employment. In addition, the homeless were to be moved into the SRO's where they were to take lessons on finance management, etc. That Plan also involved the homeless to be transitioned into starter homes or condos with the City assisting with the funding. By opening multiple shelters the homeless do not have to address their problems because they just go from shelter to shelter. There is a disproportionate amount of homeless individuals in this area as compared to other areas of the city. Clark County is not sharing their tab on the homeless.

KATHY JACOBSEN, 237 North 20th Street, appeared in protest. For four years she has worked to improve the quality of life in her neighborhood. The residents in the area are opposed to a homeless shelter because the area is primarily single-family homes with young children. It will decrease the property values, increase crime, and be incompatible with the nearby elementary school. This is a sensitive neighborhood. Crime has reduced in the last three years in this area. More neighborhood watch groups are being established.

RUTH EASTWOOD, 2105 Houston Drive, appeared in protest. Six years ago there was a homeless shelter in the neighborhood. That shelter brought drug dealers, prostitutes, etc. into the neighborhood and it took three years to get rid of it. There are a lot of senior citizens and children living in the area.

MARTHA SANTORO, 2120 Ballard Drive, appeared in protest. There used to be three buildings on her block that had vagrants. The City tore down two of the buildings and boarded up one building. Subsequently, the crime rate was drastically reduced. This will devalue her property.

MAXINE MORRISON, 2400 Olive Street and 2540 Fremont Street, appeared in protest. She purchased these properties knowing the City is trying to upgrade the area. This is a quiet, safe community. She objected to the area being subjected to this low life situation.

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EVA BERKSTRESSER, 1904 Sweeney Avenue, appeared in protest. She is 80 years old and still works for a living. The homeless people are younger so they can certainly be employed. There are three schools in the area and those children will not be able to go outside to play if there is this homeless shelter.

BOB BABILINO, 2800 East Fremont Street, appeared to represent the Castaways Hotel/Casino in protest. The new ownership of the Castaways is spending millions of dollars to upgrade and renovate their property. They are trying to invest in the future of downtown Las Vegas by making the improvements. The renovations and improvements will help to attract new business to the immediate vicinity. A homeless shelter will only dissuade their customers from coming to the hotel/casino. The City of Las Vegas is a magnetic for disadvantaged individuals due to the number of charitable organizations. Adding another homeless facility will increase the number of those individuals into the downtown area. This would be a deterrent for families to frequent their bowling facility.

JAMES FREDRICKS, 2301 East Clifford Street, appeared in protest. There is already a problem with persons sleeping on the lawn, etc. Across the street from this proposed shelter is the County whereby they are proposing an order-out zone. **He submitted three letters in protest.**

ROBBI ERNST, 1331 Burnham Avenue, appeared in protest. The residents in this neighborhood feel this would be a deterrent in upgrading the area. **He submitted a letter in protest.**

RON COOK, Connecting Point Computer Center, 2595 East Fremont Street, appeared in protest. They have just recently invested 1.6 million dollars in their facility. The Castaways has been repainting their facility and Denny's have cleaned up their facility. They have had a problem with the homeless so they removed the grass and installed desert landscaping. There are a lot of homeless persons in the area and this shelter would attract even more individuals. There is a plan for new shopping centers, etc. in the area. This shelter will not resolve the problem of the homeless since it will only accommodate eight individuals.

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RENN REED, 1905 Cedar Avenue, appeared in protest. This shelter could depreciate the property values in the neighborhoods. Perhaps it should be investigated as to where these shelters should be located.

PASTOR BRUCE WICKS, Creations of Love Ministries, 1504 Vegas Valley Drive, appeared on behalf of the shelter. Some individuals need help. Everyone attending this meeting is concerned about property values, but not about the people. He was homeless and found help for a better life. Eight people will not corrupt this neighborhood. This would help the area more than it would hurt it.

LEONA WICKS, 1405 Vegas Valley Drive, appeared on behalf of the shelter. They help the people with clothing, medical assistance, food, etc. These are not disgusting persons.

DARRELL CRANE, Creations of Love, appeared in approval. He was a homeless person committing crimes and through Creations of Love his life has been changed. The protestants should look into their hearts.

SHERRIE DAVIS, Resident of Creations of Love, appeared in approval. They have helped people to bring their lives up to par. This is a rescue mission.

BONNIE ROBINS, 4035 Mitra Road, Employee of Creations of Love, appeared in approval. She was homeless and her life was changed by this mission. Her health and joy have been restored.

KILLEY DAVIS, Resident of Creations of Love, appeared in approval. He was a homeless person and was helped by the applicant. They are trying to give people hope and show that somebody cares.

CHARLES HALL, General Manager, Silver Saddle Saloon, 2501 East Charleston Boulevard, appeared in protest. They are a 24-hour operation and see the homeless every day.

MARK BARTH, 1905 Cedar Avenue, appeared in protest. This is a residential area and this shelter will bring in crime.

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YORGO KAGAFAS, City of Las Vegas, Neighborhood Services, appeared stating he would not be taking a position. However, he was requested to attend this meeting by some residents who had attended neighborhood meetings. Metro has advised that if a homeless facility were located outside the homeless corridor they would not be able to provide the same services to the homeless, nor public safety. This increased foot traffic would be detrimental to the area.

CHAIRMAN GALATI declared the Public Hearing closed. He explained that this application is a land use issue, not what type of persons are homeless.

GREG WALKER appeared in rebuttal. His client is attempting to alleviate some of the homeless walking up and down the streets and change their lives. The combination of providing employment and spiritual ministry is a combination that works to rehabilitate the people.

COMMISSIONER BUCKLEY agreed that this is a land use issue. Homeless issues are broader than what the Planning Commission can address. There is a difference between a homeless shelter versus a social services provider.

COMMISSIONER LITTLEFIELD asked if more persons will be fed than just live there. In addition, he wondered if the applicant has another shelter. There are a lot more people opposed to this shelter than the eight individuals who would be staying there.

MR. WALKER said that more people will be fed than reside in the shelter. The applicant does not have another shelter. His client approached the City asking for business licenses, etc. that were necessary. They were granted a couple of licenses and began to operate. At that point the City contacted them and said the information they had provided was not accurate.

COMMISSIONER TRUESDELL also felt this is a land use issue. There are several facilities that are upgrading their properties. He felt there is a need for services for the homeless, but this is not the proper location. There could be more than eight people coming there every day to find shelter. It is easier to keep an area strong than to rebuild it. This sits between two restaurants and adjacent to an apartment complex. This would change the course of the land planning for the area.

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CHAIRMAN GALATI commended the applicant's efforts. This property is too small for this use. However, he believes in helping the homeless.

COMMISSIONER BUCKLEY then made a motion for denial, which carried unanimously.

CHAIRMAN GALATI announced after the vote was posted that there would be a recess.

This is final action.

(7:10 - 8:00) 1 - 2580 - Recess

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ACTION

C-9.

U-0026-01 - THE SOUTHLAND EMPLOYEES TRUST ON BEHALF OF PHILLIP PAINTER

Request for a Special Use Permit FOR A PROPOSED USED AUTO DEALERSHIP at 3201 North Rancho Drive (APN: 138-12-801-011), C-2 (General Commercial) Zone, Ward 6 (Mack).

NOTICES MAILED 124 (Mailed with SD-0009-01)

APPROVALS 1 Speaker

PROTESTS 1 Speaker

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. A waiver of the requirement of a minimum parcel size of 25,000 square feet must be approved by the City Council.
2. Site development to comply with all applicable Conditions of Approval for Site Development Plan Review (SD-0009-01) and all other subsequent site-related actions.
3. Repair and service work shall not be permitted.
4. The Special Use Permit shall expire two years from the approval by City Council unless an Extension of Time is granted.
5. The installation and use of an outside public address or bell system is prohibited.
6. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
7. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS AND CONDITION NO. 4 AMENDED TO READ: IF THE SPECIAL USE PERMIT IS NOT EXERCISED WITHIN ONE YEAR FROM THE APPROVAL BY THE CITY COUNCIL, IT SHALL BECOME VOID UNLESS AN EXTENSION OF TIME IS GRANTED

Motion did not carry with Buckley and Galati voting NO and Littlefield abstaining as he has a relative that is employed by Phillip Painter (Gordon and Goynes excused)

TROY JESCHKE, Planning and Development, said the applicant states there is a need for a used car dealership at this site and that it will be an asset to the area. Las Vegas Municipal Code Title 19A requires a minimum parcel size of 25,000 square feet for a used auto dealership. The subject site is approximately 21,500 square feet in area and would require a waiver of that condition. This site has a General Plan designation of GC (General Commercial). The land use classification section of the Las Vegas 2020 Master Plan states that GC (General Commercial) uses include, but are not limited to, retail service, wholesale office and other general business uses of a more intense commercial character. These uses commonly include outdoor storage or display of products, parts, noise, lighting or other characteristics not generally considered compatible with adjoining residential without significant transition.

This auto dealership is not appropriate at this location because it is not consistent with other development along this portion of Rancho Drive and the adjacent residential uses only 350 feet to the west.

Staff recommended denial.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

ATTORNEY BILL CURRAN
PHILLIP PAINTER, 3108 Villa Colonade Drive
KEN MATONOVICH, 2329 Delina Drive
HOWARD JOHNSON, 7937 Seabourn Court
ROBERT GENZER, Planning & Development

CHAIRMAN GALATI declared the Public Hearing closed.

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TRUST ON BEHALF OF PHILLIP PAINTER**

COMMISSIONER QUINN made a motion for approval, subject to staff's conditions, which resulted in a tie vote.

ROBERT GENZER, Planning and Development, noted that the length of the Special Use Permit should be one year as opposed to two years as indicated in Condition No. 4. The correct wording should be that if the Special Use Permit is not exercised within one year from the approval by the City Council, it shall become void unless an Extension of Time is granted.

DEPUTY CITY ATTORNEY BRYAN SCOTT advised that due to the tie vote, this item would be forwarded to the City Council with no recommendation.

NOTE: See Item No. C-10 for related discussion.

To be heard by the City Council on April 18, 2001.

(8:17 - 9:02) 2 - 1003

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C-10.

SD-0009-01 - THE SOUTHLAND EMPLOYEES TRUST ON BEHALF OF PHILLIP PAINTER

Request for a Site Development Plan Review FOR A PROPOSED 2,400 SQUARE FOOT USED AUTO DEALERSHIP at 3201 North Rancho Drive (APN: 138-12-801-011), C-2 (General Commercial) Zone, Ward 6 (Mack).

NOTICES MAILED 124 (Mailed with U-0026-01)

APPROVALS 1 Speaker

PROTESTS 1 Speaker

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of this Site Development Plan Review shall be for no more than two years from the date of City Council approval, unless an Extension of Time is approved.

2. The applicant shall submit a revised landscape plan indicating compliance with the Las Vegas Urban Design Guidelines and Standards by showing 15-foot wide planters along the street frontages and 8-foot wide planters along the interior property lines. All landscaping with the planters shall incorporate 24-inch box trees spaced 20 feet on-center, or an appropriate alternative.

3. No display of vehicles for sale shall encroach into the required landscape areas.

Public Works

4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 1 AMENDED AS STATED IN ITEM NO. C-9.

Motion did not carry with Buckley and Galati voting NO and Littlefield abstaining inasmuch as he has a relative that is employed by Phillip Painter (Gordon and Goynes excused)

TROY JESCHKE, Planning and Development, stated this is a former 7/11 convenience store site that is closed. Access to the site is by two driveways: one on Rancho Drive and one on Cheyenne Avenue. The building is situated towards the rear of the site with customer parking adjacent to the front of the building. Displayed vehicles are shown along the northeast and south property lines. The remainder of the site is paved or undeveloped.

The submitted landscape plan depicts six-foot wide landscape planters along Rancho Drive and the Cheyenne Avenue frontages and no landscaping along the interior property lines. Therefore, a waiver of the required landscaping is required. The applicant has provided no justification for such a waiver. Staff is recommending denial of that waiver and requesting the installation of full landscape improvements.

The building elevations will remain unchanged from the 7/11 convenience store. The auto dealership is not consistent with Title 19A or the Landscape, Wall and Buffer Standards, nor is a used auto dealership compatible with the pattern of development along this portion of Rancho Drive.

Staff recommended denial.

ATTORNEY BILL CURRAN, Curran & Parry, 601 South Rancho Drive, appeared along with PHILLIP PAINTER, 3108 Villa Colonade Drive. The Painter family has been in the auto business since 1945. Phillip Painter currently has a location on Boulder Highway where he is having a detrimental experience due to the roadway construction in the front of his business. He sells high-end trucks that would be attractive to people living in the northwest. They do not think the waivers are significant. There are seven car dealerships along the Rancho corridor and 23 auto related businesses in that area. No repairs would be done on this proposed site. The abandoned 7/11 is boarded up and gathering graffiti. It is difficult to comply with the standards of new construction.

There is currently six feet of landscaping on the perimeter that

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5. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall also comply with the requirements of the Nevada Department of Transportation.

6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

was in compliance at the time the 7/11 was approved. There are never more than two employees and two customers on the lot at the same time. They will comply with the City's parking requirements. They are currently down to 20 parking stalls. That is a level that is viable for this business, but less stalls would be harmful. Instead of the 15 feet of landscaping they have put in 26 feet of landscaping at the intersection at Cheyenne and Rancho. They will make some use of the 26 feet farther back. This will be an improvement over how the property is developed at the present time. He objected to being required to provide a traffic study. This use will generate much less traffic than the 7/11 convenience store.

CHAIRMAN GALATI declared the Public Hearing open.

KEN MATONOVICH, 2329 Delina Drive, appeared in protest. He is one of the owners of Foothills Ranch at 3377 North Rancho Road and a prospective owner for a used car facility at 4600 North Rancho Drive. His facility will be 60,000 square feet. There are parcels that are for sale in the area. COUNCILMAN REESE said he does not want Rancho Drive to be another Boulder Highway. It would be impossible to fulfill the landscape requirements. He is not opposed to competition. The closest car dealership is approximately three miles away.

HOWARD JOHNSON, 7937 Seabourn Court, appeared in approval. He has a fountain and statue business at 3340 North Rancho Drive. This auto dealership would be an asset to the area.

CHAIRMAN GALATI declared the Public Hearing closed.

ATTORNEY CURRAN appeared in rebuttal. Every piece of property is different. Codes are just general and subject to waivers. This property is continually going downhill. This business will be operated by a respected family in the community and will not be a detriment to the other businesses in the area. They can live with a condition requiring a review in two years.

PHILLIP PAINTER said there are various types of auto businesses in this area. His business is for retailing used trucks. He just found out a week ago that staff would be requiring a landscape buffer completely around this property. He operates a business that is pleasing in appearance for his type of customers.

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Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

7. Submit an application for an Occupancy Permit for all landscaping and private improvements (driveways) in the Cheyenne Avenue and Rancho Drive public right-of-way adjacent to this site prior to the issuance of any permits.

Standard Conditions

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. All exterior lighting shall meet the standards of LVMC Section 19A.08.060 (C).

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.

11. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

12. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first.

COMMISSIONER BUCKLEY commented that he objected to changing the minimum lot size and landscape waivers. It would set a bad precedent as to what the City has planned for this area.

COMMISSIONER QUINN did not have a problem with the use, but was concerned about the landscaping. He notices that many car dealerships are placing vehicles in the landscape areas when it was not initially presented that way.

MR. PAINTER responded that there is a difference of 500 feet in gross landscaping. This proposal will enhance that corner.

ATTORNEY CURRAN said that they would be willing to abide by the City's landscape requirements. They will not utilize the 15 foot area of landscaping for vehicles. Some of the fast food restaurants only comply with the landscaping requirements in the front of their property. They would be willing to work with staff on the landscaping. This is an irregularly-shaped piece of property. There has to be some inventory on display.

MR. PAINTER added that some dealerships in Las Vegas have placed vehicles in landscape areas to display them. There is a billboard on the property that has a long-term lease.

COMMISSIONER TRUESDELL did not have a concern for this use. However, he thought the landscaping could come closer to the requirements.

COMMISSIONER QUINN made a motion for approval, subject to staff's conditions with Condition No. 1 amended. That motion resulted in a tie vote, so the item will be forwarded to the City Council with no recommendation.

ROBERT GENZER, Planning and Development, stated staff would be willing to work with the applicant to resolve some issues related to this proposal.

NOTE: See Item No. C-9 for related discussion.

To be heard by the City Council on April 18, 2001.

(8:17 - 9:02) 2 - 1003

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COUNCIL CHAMBERS -400 EAST STEWART AVENUE

ITEM

ACTION

C-11.

U-0096-00(1) - STEVEN J. WEISS ON BEHALF OF THERESA WEISS

Required Six Month Review on an approved Special Use Permit, which allowed a COMMERCIAL HORSE BOARDING AND TRAINING FACILITY on the northwest corner of Leon Avenue and Rosada Way (APN: 125-36-301-010), R-E (Residence Estates) Zone, Ward 6 (Mack).

NOTICES MAILED 436

APPROVALS 1 Speaker

PROTESTS 8 (7 inside notification radius; 1 outside radius)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. There shall be a five (5) year review by the Planning Commission and City Council to ensure adherence to all Conditions of Approval.

2. The use shall comply with all previous Conditions of Approval.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS

Unanimous

(Gordon and Goynes excused)

TROY JESCHKE, Planning and Development, stated this is a six-month review for a commercial horse boarding and training facility located at 5770 West Rosada Way. There have not been any code violations filed with the City's Code Enforcement Office, nor complaints filed, in the last six months. The Business Licensing Division of Finance and Business Services Department shows that the business is properly licensed. This site appears to be compatible with the surrounding area. The Planning and Development Department did not receive any protests until a week ago. Staff recommended approval, subject to the approval.

STEVEN J. WEISS, 5770 West Rosada Way, appeared to represent the application.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. This is a facility where people in the downtown area can board horses. In addition, the trails should remain.

CHAIRMAN GALATI declared the Public Hearing closed.

MR. WEISS said they plan to eliminate the outdoor stalls in the future. They also have plans for a 5,500 square foot home on the property.

To be heard by the City Council on April 18, 2001.

(9:02 - 9:07) 2 - 2890

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

C-12.

Z-0050-81(1) - MARIO AND NORMA QUINONEZ

Request for a Site Development Plan Review and a Waiver of the Required Landscaping FOR IMPROVEMENTS TO AN EXISTING 1,350 SQUARE FOOT BARBER SHOP located at 2220 East Bonanza Road (APN: 139-35-511-041), P-R (Professional Office and Parking) Zone, Ward 3 (Reese).

NOTICES MAILED 158

APPROVALS 1 Speaker

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Site Development Plan Review is not exercised within two years from date of approval, the Site Development Plan Review shall be void unless an Extension of Time is granted.

2. The site plan shall be revised to depict a minimum of six parking spaces. The van accessible handicap space shall be placed adjacent to the east property line. Two additional parking spaces shall be located adjacent to the north side of the building, opposite the handicap space. Two parking spaces shall be located adjacent to the west side of the building. And one additional parking space shall be located adjacent to the rear of the building, accessed from 23rd Street. The applicant is encouraged to work with staff to implement this condition.

Truesdell -

ABEYANCE TO THE APRIL 12, 2001 PLANNING COMMISSION MEETING

Unanimous

(Gordon and Goynes excused)

LAURA MARTIN, Planning and Development, stated this site plan does not allow for adequate site circulation and access. Meeting the minimum parking requirements provides adequate landscaping. The site plan indicates a total of five parking spaces and three landscape planters. Title 19A parking requirements are for two spaces for each barber chair. The floor plan indicates three chairs. The site plan should be revised to reflect the minimum required of six parking spaces, including one handicapped space. The revision of the landscaping will accomplish on-site landscaping. There is a condition requiring a five-foot wide landscape planter along Bonanza Road, eight feet along 23rd Street, four feet along the south property line and a six-foot wide landscape planter along the east property line, as well as the northwest corner of the site to the intersection of Bonanza Road and 23rd Street. There is also a condition requiring a two-year review to insure compliance with Title 19A parking standards and the Las Vegas Urban Design Guidelines and Standards. Staff recommended approval, subject to the conditions.

NORMA QUINONEZ, Patty's Barber Shop, 7201 Big Oak Circle, appeared with TONI LOPEZ, City of Las Vegas translator. When she purchased this building five years ago she was unaware of the landscaping requirements. Sometimes she loses customers because of the lack of parking. MS. QUINONEZ plans to include landscaping along 23rd Street, but wants some of the landscaping on the property waived to be able to provide more parking. MS. LOPEZ agreed to the landscaping that is being required by staff as long as she is able to obtain more parking.

MR. JESCHKE proposed a design plan. Rather than a circular drive on Bonanza Road, the van accessible handicapped parking would be moved against the east property line where two spaces could be accomplished opposite that. There would be a 37-foot driveway width to allow backing in the spaces. Three more parking spaces could be accomplished by getting access off 23rd Street. The property directly across on 23rd Street was approved for a P-R conversion and has access off 23rd Street.

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ITEM

ACTION

Z-0050-81(1) - MARIO AND NORMA QUINONEZ

3. The landscape plan shall be revised to depict a minimum five-foot wide landscape planter along Bonanza Road, an eight-foot wide landscape planter along 23rd Street, a four-foot wide landscape planter along the south (rear) property line, a six-foot wide landscape planter along the east property line, and provide landscaping on the northwest corner of the site adjacent to the intersection of Bonanza Road and 23rd Street. All landscaping (trees, shrub and groundcover) shall adhere to the minimum requirements of the Las Vegas Urban Design Guidelines and Standards. The applicant is encouraged to work with staff to implement this condition.

4. This use shall be reviewed in two years to ensure compliance with the Title 19A Parking Standards (Section 19A.10) and the Las Vegas Urban Design Guidelines and Standards.

Public Works

5. Dedicate a 25-foot radius on the southeast corner of Twenty Third Street and Bonanza Road prior to the issuance of any permits.

6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

7. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new driveways or modifications to existing driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a.

CHAIRMAN GALATI felt this item should be held in abeyance until a definite plan is proposed. He wondered if MS. LOPEZ is representing the City.

MS. LOPEZ responded that she is representing the Department of Neighborhood Services to be of assistance to the Hispanic community.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. He approved of the proposed appearance for this business.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the Planning Commission on April 12, 2001.

(9:07 - 9:19) 2 - 3130

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

Z-0050-81(1) - MARIO AND NORMA QUINONEZ

ABEYANCE TO APRIL 12, 2001

8. Landscape and maintain all unimproved right-of-way on Bonanza Road adjacent to this site.

9. Submit an Encroachment Agreement for all landscaping and private improvements located in the Bonanza Road public right-of-way adjacent to this site prior to occupancy of this site.

Standard Conditions

10. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

11. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

12. All City Code requirements and design standards of all City departments must be satisfied.

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COUNCIL CHAMBERS -400 EAST STEWART AVENUE

ITEM

ACTION

C-13.

Z-0047-98(1) - CARE MERIDIAN

Request for a Site Development Plan Review FOR A PROPOSED 19,940 SQUARE FOOT CONVALESCENT CARE FACILITY on 5.10 Acres on the north side of Carmen Boulevard, west of Buffalo Drive (APN: 138-28-501-013), U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] under Resolution of Intention to R-2 (Medium-Low Density Residential), Ward 2 (L.B. McDonald).

NOTICES MAILED 535

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Lighting standards within the parking lots shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.

2. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).

Public Works

3. Site development to comply with all applicable Conditions of Approval for Z-47-98 and all other site-related actions as required by the Department of Public Works.

Standard Conditions

4. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS

Unanimous

(Gordon and Goynes excused)

ANDREW REED, Planning and Development, stated access to this site is from Carmen Boulevard that is shared with the approved office facility adjacent to the east. Extensive landscaping consisting of 24-inch box mesquite, strawberry and elm trees, shrubs and ground cover are shown. The elevations depict a mansard roof finished with concrete tiles and painted stucco exterior wall finish with a cultured stone accent. Adequate buffering between this use and the adjacent residential uses is provided. Staff recommended approval, subject to the conditions.

LARRY STAPLES, JMA Architecture Studios, 10150 Covington Cross, appeared to represent the applicant. This is the exact same project that appeared before the Planning Commission last April with a Special Use Permit and Design Review. When this project went into design and construction documents completed, it was discovered by the Building Department that there had not been a Site Development Plan Review. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on April 18, 2001.

(9:19 - 9:21) 3 - 110

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

Z-0047-98(1) - CARE MERIDIAN

APPROVED

5. All development shall be in conformance with the Site Development plan and building elevations.

6. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

8. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

9. All City Code requirements and design standards of all City departments must be satisfied.

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

11. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet.

12. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

PLANNING COMMISSION

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

C-14.

Z-0092-00(1) - CITY OF LAS VEGAS

Request for a Site Development Plan Review FOR A PROPOSED 10,738 SQUARE FOOT FIRE STATION located at the northwest corner of Smoke Ranch Road and Torrey Pines Drive (APN: 138-14-402-001), R-E (Residence Estates) Zone under Resolution of Intent to C-V (Civic), Ward 6 (Mack).

NOTICES MAILED 396

APPROVALS 1 (1 inside notification radius)

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Lighting standards within the parking lot shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.
3. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

Public Works

4. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

**Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS
Unanimous
(Gordon and Goynes excused)**

TROY JESCHKE, Planning and Development, stated there will be four driveways: three on Smoke Ranch and one on Torrey Pines. Two of the driveways on Smoke Ranch will provide access to the parking around and behind the building. Emergency vehicles exiting the fire station building will use the third driveway on Smoke Ranch. A fourth driveway provides access to Torrey Pines Drive on the east. The site plan shows fueling pumps located along the west property line adjacent to the residential lots. Staff recommended that the pumps be flipped to the east side if possible. The applicant is proposing to develop the eastern portion of the site with a passive park. Landscaping is depicted along all site perimeters with planters varying in width from 15 feet to more than 35 feet. The elevations portray a flat roof and parapets along the east and west sides of the building, and at the emergency vehicle service doors there will be an arched entrance below a pitched roof feature. This fire station is compatible with development along this portion of Smoke Ranch Road. Staff recommended approval, subject to the conditions.

DAVID ROARK, City of Las Vegas, Manager of Real Estate and Assets, said the only change from the picture being shown on the monitor is that the driveway to Torrey Pines will be eliminated and become a green area.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

SAM TOLMAN, City of Las Vegas, Architectural Services, explained that the City did not want to locate the fueling station on the north side of the site due to the adjacent residential. There is a possibility of moving it to the east side, but that is not feasible due to fire trucks visiting the station. However, they located the pump system an extra 20 feet from an existing cul-de-sac. They have tried to add additional landscape buffers and walls to hide the fire station. There will be a block wall all the way around the property. All the engines and ladder trucks are on the left side and rescue trucks on the right side. Putting the fueling station in another location would create a blockage as far as an emergency access and they would have to drive around the fire station.

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ITEM

ACTION

Z-0092-00(1) - CITY OF LAS VEGAS

5. Coordinate with the Traffic Engineering Division to determine additional right-of-way requirements adjacent to this site in accordance with Standard Drawings #201.1, 234.1, 234.2, and 234.3 on Torrey Pines Drive and Smoke Ranch Road; dedicate all right-of-way, if any, recommended by the Traffic Engineering Division and grant appropriate easements for bus shelters prior to issuance of permits.

6. Site development to comply with all applicable Conditions of Approval for Z-92-00 and all other site-related actions.

Standard Conditions

7. All mechanical equipment, air conditioners and trash areas shall be screened from view of abutting streets.

8. All City Code requirements and design standards of all City Departments must be satisfied.

9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first.

To be heard by the City Council on April 18, 2001.

(9:21 - 9:28) 3 - 170

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

C-15.

V-0005-01 - SANDRA MORRIS 1990 LIVING TRUST ON BEHALF OF AMERICAN CITY VISTA

Request for a Variance to allow zero square feet of open space where 296,208 square feet (6.8 ACRES) is THE MINIMUM required on approximately 32 acres located on the northwest corner of the intersection of Washington Avenue and Robin Street (APN: 139-29-612-002), C-PB (Planned Business Park) Zone, PROPOSED: R-3 (Medium Density Residential), Ward 5 (Weekly).

NOTICES MAILED 314 [Mailed with Z-0001-01(1)]

APPROVALS 0

PROTESTS 2 (2 inside notification radius)

CONCERNS 1 Speaker

STAFF RECOMMENDATION: DENIAL.

Truesdell -

ABEYANCE ITEM NOS. C-15, C-16 AND D-2 TO THE MARCH 22, 2001 PLANNING COMMISSION MEETING

**Unanimous
(Gordon excused)**

ANDREW REED, Planning and Development, stated this is a residential development proposed for Washington Avenue and Robin Street. A related General Plan Amendment and Rezoning were heard by the City Council on March 7, 2001 and held in abeyance until the March 21, 2001 meeting. Therefore, staff would like to have these related items held to the March 22, 2001 Planning Commission meeting.

CHRIS SQUILLANTE, KB Homes, 750 Pilot Road, appeared to represent the applicant. She concurred that these items should be held in abeyance.

AL GALLEG0, Citizen of Las Vegas, suggested that all the items on this agenda be open to the public, particularly the Tentative Map under Item No. D-2.

ROBERT GENZER, Director, Planning and Development, responded that the issues regarding the Tentative Map are covered by Item No. C-16, Site Development Plan Review, on this agenda. The Planning Commission could recommend that the Tentative Map be a Public Hearing at the March 22, 2001. The Tentative Map is merely a reflection of the Site Plan that is approved.

NOTE: See Item Nos. C-16 and D-2 for related applications.

To be heard by the Planning Commission on March 22, 2001.

(6:06 - 6:09) 1 - 160

PLANNING COMMISSION

MEETING OF

MARCH 8, 2001

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COUNCIL CHAMBERS -400 EAST STEWART AVENUE

ITEM

ACTION

C-16.

Z-0001-01(1) - SANDRA MORRIS 1990 LIVING TRUST ON BEHALF OF AMERICAN CITY VISTA

Request for a Site Development Plan Review and a Waiver of the Required Perimeter Landscaping FOR A 409 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on approximately 32.5 acres at the northwest corner of the intersection of Washington Avenue and Robin Street (APN: 139-29-612-002), C-PB (Planned Business Park) Zone, PROPOSED: R-3 (Medium Density Residential), Ward 5 (Weekly).

NOTICES MAILED 314

APPROVALS 0

PROTESTS 2 (2 inside notification radius)

STAFF RECOMMENDATION: ABEYANCE, PENDING DISPOSITION OF VARIANCE AT CITY COUNCIL.

Truesdell -

ABEYANCE ITEM NOS. C-15, C-16 AND D-2 TO THE MARCH 22, 2001 PLANNING COMMISSION MEETING

Unanimous

(Gordon excused)

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NOTE: See Item Nos. C-15 and D-2 for related applications.

To be heard by the Planning Commission on March 22, 2001.

(6:06 - 6:09) 1 - 160

PLANNING COMMISSION

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

C-17.

Z-0007-01 - ABEL PARENTE, MARIA PARENTE, PABLO LAIN AND ADRIANA LAIN

Request for a Rezoning FROM: R-1 (Single Family Residential) TO: P-R (Professional Office and Parking) on 0.14 Acre located at 1501 South Maryland Parkway (APN: 162-02-210-012), PROPOSED USE: Office, Ward 3 (Reese).

NOTICES MAILED 221 [Mailed with Z-0007-01(1)]

APPROVALS 3 Speakers

PROTESTS 1 (within notification radius)
1 Speaker

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. Resolution of Intent with a one-year time limit.
2. A Site Development Plan Review shall be approved by the Planning and Development Department prior to the issuance of any permits, any site grading, and all development activity on this site.

Public Works

3. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards prior to occupancy of this site.

Quinn -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS
Unanimous
(Gordon and Goynes excused)**

LAURA MARTIN, Planning and Development, said the applicant's justification letter states this change in zoning will not negatively impact the area due to the fact that nearly all the blocks consist of professional offices, including the properties on each side of this property. The General Plan designates this site as SC (Service Commercial). The proposed P-R (Professional Office and Parking) zoning will be in conformance with this designation and provide for office use in an area that is predominantly residential but because of traffic, etc. is no longer suitable for the continuation of low density uses. This zoning will be compatible with the adjacent P-R and R-1 uses. Staff recommended approval, subject to the conditions.

APPEARANCES:

PABLO LAIN, 1716 British Cup
TODD FARLOW, 240 North 19th Street
BEN CONTINE, 1047 East Oakey Boulevard
EVAN ACKER, 1030 Wengert Avenue
STEVE EVANS, 1705 Cochran Street
ROBERT GENZER, Planning & Development

COMMISSIONER QUINN urged staff and the applicant to continue working on the landscaping.

NOTE: See Item No. C-18 for related discussion.

To be heard by the City Council on April 18, 2001.

(9:28 - 9:40) 3 - 390

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

Z-0007-01 - ABEL PARENTE, MARIA PARENTE, PABLO LAIN AND ADRIANA LAIN

APPROVED

4. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

Standard Conditions

5. All development shall be in conformance with the plot plan and building elevations.

PLANNING COMMISSION

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

Z-0007-01 - ABEL PARENTE, MARIA PARENTE, PABLO LAIN AND ADRIANA LAIN

APPROVED

6. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be a cause for revocation of a business license.

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

8. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

9. All City Code requirements and design standards of all City departments must be satisfied.

10. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

PLANNING COMMISSION

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

C-18.

Z-0007-01(1) - ABEL PARENTE, MARIA PARENTE, PABLO LAIN AND ADRIANA LAIN

Request for a Site Development Plan Review FOR A PROPOSED 1,443 SQUARE FOOT OFFICE CONVERSION located at 1501 South Maryland Parkway (APN: 162-02-210-012), R-1 (Single Family Residential) Zone, PROPOSED: P-R (Professional Office and Parking), Ward 3 (Reese).

NOTICES MAILED 221 (Mailed with Z-0007-01)

APPROVALS 3 Speakers

PROTESTS 1 Speaker
2 Letters

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Site Development Plan Review is not exercised within two years from date of approval, the Site Development Plan Review shall be void unless an Extension of Time is granted.

2. The site plan shall be revised to locate the five required parking spaces along the east (rear) property line. The site plan shall include one van accessible space, three regular spaces, and one compact space.

3. The landscape plan shall be revised to reflect: a fifteen foot wide front yard landscape planter with the exception of providing a pedestrian access (five-foot wide sidewalk) to the building; six-foot wide rear yard landscape planter along the east property line; and a five-foot wide side yard landscape planter along the north property line. The landscape planters shall be planted with 24-inch box trees, 30-feet on center and shrub and groundcover as required by the Las Vegas Urban Design Guidelines and Standards.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 1 AMENDED TO ONE YEAR

Unanimous

(Gordon and Goynes excused)

LAURA MARTIN, Planning and Development, stated the applicant proposes to convert an existing single-family residence to an office. The floor plan indicates six offices plus a space for a receptionist, break area, and lobby reception area. Parking is shown to the rear of the site. The drive aisle to the parking is shared with the adjacent property to the north. The Department of Public Works is requiring the applicant to provide the City with a copy of a recorded Joint Access and Parking Agreement with the parcel to the south. The current parking configuration does not allow for adequate circulation, access or landscaping. Therefore, there is a condition to revise the site plan to reflect all five parking spaces along the east, which is the rear property line. This configuration will allow for landscaping, as well as meet Title 19A parking requirements. A full waiver of the required landscaping is not justifiable. However, a partial waiver is necessary in order to accomplish the required on-site parking. The site plan indicates minimal landscaping in the front yard and no landscaping on the side or rear property lines. There is a condition to revise the landscape plan to provide a 15 foot wide landscape planter along the Maryland Parkway frontage with the exception of providing a pedestrian access to be a five foot wide sidewalk to the building, five foot wide landscape planter along the north property line and a six foot wide landscape planter along the east property line. Staff recommended approval, subject to the conditions.

PABLO LAIN, 1716 British Cup, appeared to represent the application. There will be planters in the front of the building. They would like to waive the landscaping in the front because of people entering the building and handicapped persons. They are willing to move the parking to the east side. In the back there are some power lines.

MS. MARTIN responded that the applicant has submitted a four-foot wide landscape planter along Maryland Parkway and a little landscaping right in front of the building.

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

Z-0007-01(1) - ABEL PARENTE, MARIA PARENTE, PABLO LAIN AND ADRIANA LAIN

4. Signs shall be permitted as required by Section 19A.14.090(B). Awnings are permitted, but no signed awnings are allowed on the building.

Public Works

5. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new or modifications to existing driveways shall be designed, located and constructed to the full width and meet the intent of Standard Drawing #222a.

6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site.

7. Provide a copy of a recorded Joint Access and Parking Agreement ensuring the perpetual joint use of the driveway and parking lot to the south of this property prior to the issuance of permits or occupancy of this site, whichever may occur first. If such proof cannot be provided, this site shall be redesigned to provide access entirely within the limits of this property.

8. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-7-01 and all other site-related actions.

COMMISSIONER QUINN wondered if this landscaping is comparable to what is on the other properties along Maryland Parkway.

MS. MARTIN thought some of the office conversions along Maryland Parkway were done prior to the landscape requirements.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. He was fearful that if the landscape waivers are granted Maryland Parkway will begin to look as badly as Eastern Avenue.

BEN CONTINE, 1047 East Oakey Boulevard, appeared in approval. He did not object to the rezoning, but was opposed to the landscaping waiver because it will set a bad precedent for future office conversions. **He submitted two letters opposing the landscape waiver.**

EVAN ACKER, 1030 Wengert Avenue, appeared in approval. She did not object to converting this property to an office use, but objected to the landscape waiver. She does not want the neighborhood to end up looking like Charleston Boulevard. Full landscaping should be required.

STEVE EVANS, 1705 Cochran Street, appeared to represent neighborhood groups. The waiver should not be granted. Businesses who are converting just pour concrete.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER TRUESDELL felt that Maryland Parkway is unique. Most of the properties do not have enough space between the buildings and the street to be able to meet all the landscape standards. The applicant should work with staff to increase the landscaping as much as possible.

MS. MARTIN responded that staff has worked with this site plan in regard to parking and landscaping.

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

Z-0007-01(1) - ABEL PARENTE, MARIA PARENTE, PABLO LAIN AND ADRIANA LAIN
Standard Conditions

9. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

11. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.

12. All City Code requirements and design standards of all City departments must be satisfied.

ROBERT GENZER, Planning and Development, requested Condition No. 1 be amended to one year to coincide with the Resolution of Intent in Item C-17.

NOTE: See Item No. C-17 for related discussion.

To be heard by the City Council on April 18, 2001.

(9:28 - 9:40) 3 - 390

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

C-19.

**Z-0008-01 - EVANGELISTA, LIMITED
LIABILITY COMPANY**

Request for a Rezoning FROM: R-1 (Single Family Residential) TO: P-R (Professional Office and Parking) of 0.24 Acre located at 700 South Seventh Street (APN: 139-34-410-226), PROPOSED USE: PROFESSIONAL OFFICE, Ward 5 (Weekly).

NOTICES MAILED 145 [Mailed with V-0011-01, V-0012-01 and Z-0008-01(1)]

APPROVALS 2 Speakers

PROTESTS 1 (within notification radius)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

Public Works

2. Coordinate with the City Surveyor to determine whether a Reversionary Map to revert the underlying lot lines to acreage is necessary; if such Reversionary Map is required, it shall record prior to the issuance of any building permits for this site.

3. Construct full-width alley paving adjacent to this site concurrent with development of this site.

4. Sign and record a Covenant Running with Land agreement for the possible future installation of half-street improvements (including streetlighting and possibly fire hydrants) on Garces Avenue and Seventh Street adjacent to this site prior to the issuance of any permits.

**Buckley
APPROVED, SUBJECT TO STAFF'S CONDITIONS
Unanimous
(Gordon and Goynes excused)**

TROY JESCHKE, Planning and Development, stated this request is to facilitate the development of a new office building on the site. The P-R (Professional Office and Parking) zone provides office uses in predominantly residential areas. This rezoning will be compatible with adjacent commercial and residential zoning land uses. The subject site falls within the Historic District that is on the National Register of Historic Places. However, this property is not designated as a historic place by the City of Las Vegas. Therefore, the Historic Preservation Commission can only make recommendations based on the project. At the February 28, 2001 meeting of the Historic Commission they were in support of the request to rezone the property. Staff recommended approval, subject to the conditions.

ATTORNEY DONALD CAMPBELL, Campbell and Williams, appeared with ATTORNEY COLBY WILLIAMS and ALLEN SCHWARTZ, contractor, to represent these applications. ATTORNEY CAMPBELL said he owns this property and would like to develop it for his law firm. There are several buildings that have been converted to law offices in this area. Two lots down the street is the Land Title building. The property in question is in a dilapidated state. At one time it had three separate units. The City feels this property is a nuisance because it attracts vagrants. The owner had tried to take care of the problem with the vagrants but to no avail. He purchased this property in November and goes there every day to chase the vagrants off the property. The City is recommending denial on the parking. There had been one protest, but that individual has withdrawn his protest. He has a commitment to fund this project for \$1.1 million. This will house only four attorneys and seven employees. He has one of the largest law libraries in town.

CHAIRMAN GALATI declared the Public Hearing open.

STEVEN SCOW, 612 South 7th Street, appeared in approval. Initially he was concerned about the parking. This property attracts vagrants and will probably be burned down by them eventually. This house has been empty for the good part of ten years.

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ITEM

ACTION

**Z-0008-01 - EVANGELISTA, LIMITED
LIABILITY COMPANY**

5. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

TODD FARLOW, 240 North 19th Street, appeared in approval. Law firms don't generate a lot of traffic.

CHAIRMAN GALATI declared the Public Hearing closed.

ATTORNEY CAMPBELL added that the parking area will not have the appearance of a parking lot.

COMMISSIONER BUCKLEY commented that law firms don't get a lot of visitors. He was in support of this entire application.

CHAIRMAN GALATI wondered if the landscaping that is proposed is in keeping with the landscaping that is designated for that area.

MR. JESCHKE responded that the City does not have a problem with allowing turf landscaping because it would be in keeping with the existing landscaping in the area. Forcing drought tolerant landscaping would be objectionable.

NOTE: See Item Nos. C-20, C-21 and C-22 for related discussion.

To be heard by the City Council on April 18, 2001.

(9:40 - 10:09) 3 - 800

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

**Z-0008-01 - EVANGELISTA, LIMITED
LIABILITY COMPANY**

APPROVED

7. Landscape and maintain all unimproved right-of-way on Seventh Street and Garces Avenue adjacent to this site.

8. Submit an Encroachment Agreement for all private improvements located in the Seventh Street and Garces Avenue public right-of-way adjacent to this site prior to occupancy of this site.

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COUNCIL CHAMBERS -400 EAST STEWART AVENUE

ITEM

ACTION

C-20.

**V-0011-01 - EVANGELISTA, LIMITED
LIABILITY COMPANY**

Request for a Variance TO ALLOW A 5 FOOT SIDE YARD SETBACK WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 96 FEET located at 700 South Seventh Street (APN: 139-34-410-226), R-1 (Single Family Residential) Zone, PROPOSED: P-R (Professional Office and Parking), Ward 5 (Weekly).

NOTICES MAILED 145 [Mailed with Z-0008-01, V-0012-01 and Z-0008-01(1)]

APPROVALS 2 Speakers

PROTESTS 1 (within notification radius)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Variance is not exercised within two (2) years after the approval by City Council, then this Variance shall be void unless an Extension of Time is granted.

**Buckley -
APPROVED, SUBJECT TO STAFF'S CONDITION
Unanimous
(Gordon and Goynes excused)**

TROY JESCHKE, Planning and Development, stated this Variance is to facilitate the construction of the new office building. The building height is 32 feet. When that is applied to this property the Residential Adjacency Standards would require a setback of 96 feet from the southern property line. At the February 28, 2001 meeting the Historic Preservation Commission recommended denial of this Variance citing that the development would not be in keeping with the established setbacks. However, staff finds that there is a hardship and that the enforcement of the Residential Adjacency Standards would render the site unusable for the building being proposed. Staff recommended approval, subject to one condition.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

ATTORNEY DONALD CAMPBELL, Campbell & Williams
ATTORNEY COLBY WILLIAMS, Campbell & Williams
ALLEN SCHWARTZ, Contractor
STEVE SCOW, 612 South 7th Street
TODD FARLOW, 240 North 19th Street

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. C-19, C-21, and C-22.

To be heard by the City Council on April 18, 2001.

(9:40 - 10:09) 3 - 800

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COUNCIL CHAMBERS -400 EAST STEWART AVENUE

ITEM

ACTION

C-21.

V-0012-01 - EVANGELISTA, LIMITED LIABILITY COMPANY

Request for a Variance TO ALLOW 11 PARKING SPACES WHERE 22 ARE REQUIRED located at 700 South Seventh Street (APN: 139-34-410-226), R-1 (Single Family Residential) Zone, PROPOSED: P-R (Professional Office and Parking), Ward 5 (Weekly).

NOTICES MAILED 145 [Mailed with Z-0008-01, V-0012-01 and Z-0008-01(1)]

APPROVALS 2 Speakers

PROTESTS 1 (within notification radius

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. If this Variance is not exercised within two (2) years from date of approval by the City Council it will become void unless an Extension of Time is granted by the City Council.

2. Submit a revised site plan indicating the parking spaces meeting minimum Code requirements - revise handicap space, indicate compact parking spaces where utilized, and indicate one-way drive aisle, to the satisfaction of Planning & Development staff.

3. City Code requirements and design standards of all City Departments which are not affected by approval of this Variance must be satisfied.

4. This Variance shall be subject to a one (1) year review.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NOS. 2 AND 4 DELETED

Unanimous

(Gordon and Goynes excused)

TROY JESCHKE, Planning and Development, said the applicant's justification letter states that due to the small size of the property the amount of parking required by code cannot be accomplished. In addition, the applicant states that the clientele visiting the business would be minimal. The Historic Preservation Commission on February 28, 2001 recommended denial of the Variance citing that this development would result in an increase of parking on neighborhood streets, thereby having a negative impact on the surrounding area. There is evidence of other parking Variances within one block of this site: 601 South 7th Street has a Variance to allow 16 spaces where 25 are required and 723 South 7th Street has a Variance to allow 9 parking spaces where 14 are required. This project is requesting a Variance of 11 spaces. That would mean a shortage of 25 parking spaces in a three block section of South 7th Street. Staff feels there is no evidence of a hardship on this site and is of the opinion that the applicant is attempting to overbuild the site. Furthermore, the granting of additional Variances for parking in this area will result in a reduction of available on-street parking spaces, increase traffic congestion by vehicles searching for parking, and a reduced turnover rate of on-street parking due to employees occupying those parking spaces for a prolonged period of time. Staff recommended denial.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

ATTORNEY DONALD CAMPBELL, Campbell & Williams

ATTORNEY COLBY WILLIAMS, Campbell & Williams

ALLEN SCHWARTZ, Contractor

STEVE SCOW, 612 South 7th Street

TODD FARLOW, 240 North 19th Street

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. C-19, C-20 and C-22 for related discussion.

To be heard by the City Council on April 18, 2001.

(9:40 - 10:09) 3 - 800

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

C-22.

**Z-0008-01(1) - EVANGELISTA, LIMITED
LIABILITY COMPANY**

Request for a Site Development Plan Review FOR A PROPOSED 6,555 SQUARE FOOT OFFICE BUILDING located at 700 South Seventh Street (APN: 139-34-410-226), R-1 (Single Family Residential) Zone, PROPOSED: P-R (Professional Office and Parking), Ward 5 (Weekly).

NOTICES MAILED 145 [Mailed with Z-0008-1, V-0011-01 and V-0012-01]

APPROVALS 2 Speakers

PROTESTS 1 (within notification radius)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall be void if either/both of the companion Variance applications are denied and a new Site Development Plan Review shall be submitted.

2. If this Site Development Plan Review is not exercised in two (2) years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

3. A revised site plan shall be submitted depicting handicap accessible parking that is in compliance with the requirements of Section 19A.10.010(G) of the Las Vegas Zoning Code.

4. A revised landscape plan/site plan shall be submitted portraying a three-foot wide landscape planter along the west property line (adjacent to the alleyway). The three feet required for the landscape planter can be accomplished by reducing the width of the driveway to 24 feet and reducing the width of the walkway adjacent to the rear of the building to 5 feet.

Buckley -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH
CONDITION NO. 4 DELETED**

Unanimous

(Gordon and Goynes excused)

TROY JESCHKE, Planning and Development, stated access to this site is by one driveway on Garces Avenue. The building is situated toward the southeast corner of this site and the front entrance faces 7th Street. The parking area is shown toward the rear of this site and abuts a public alleyway along the west property line. The landscape plan depicts a 20-foot wide landscape planter along 7th Street and a 10-foot wide planter along Garces Avenue in addition to a 4 foot wide planter within the rights-of-way. A 5-foot wide planter is shown along the south property line and no landscaping is depicted adjacent to the alleyway. The proposed elevations portray a French chateau style façade with stone veneer and stucco wall construction and plum colored slate shingle style roofing. The Historic Preservation Commission at its February 28, 2001 meeting recommended denial citing the historical significance of the structure and of the structures context to the surrounding neighborhood. However, staff finds that this office building is attractive and would be an asset to the surrounding area by providing jobs and a use for the site that is currently vacant. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

ATTORNEY DONALD CAMPBELL, Campbell & Williams

ATTORNEY COLBY WILLIAMS, Campbell & Williams

ALLEN SCHWARTZ, Contractor

STEVE SCOW, 612 South 7th Street

TODD FARLOW, 240 North 19th Street

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. C-19, C-20 and C-21 for related discussion.

To be heard by the City Council on April 18, 2001.

(9:40 - 10:09) 3 - 800

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

**Z-0008-01(1) - EVANGELISTA, LIMITED
LIABILITY COMPANY**

APPROVED

5. The applicant shall construct a six-foot high decorative block wall, with at least 20 percent contrasting materials along the alleyway.

Public Works

6. The proposed wrought iron gates shall remain opened during normal business hours of operation.

7. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

8. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-0008-01 and all other site-related actions.

Standard Conditions

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in view from the abutting streets.

10. All exterior lighting shall meet the standards of LVMC Section 19A.08.060 (C).

11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.

12. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

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ITEM

ACTION

**Z-0008-01(1) - EVANGELISTA, LIMITED
LIABILITY COMPANY**

APPROVED

13. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first.

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

C-23.

Z-0010-01 - CORNERSTONE COMPANY

Request for a Rezoning FROM: R-4 (High Density Residential) TO: C-1 (Limited Commercial) of 0.25 Acre on the northwest corner of Fourth Street and Colorado Avenue (APN: 162-03-110-011), PROPOSED USE: OFFICE BUILDING, Ward 3 (Reese).

NOTICES MAILED 92 [Mailed with Z-0010-01(1)]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to conditions:

Public Works

1. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site.

2. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS
Motion carried with Truesdell abstaining inasmuch as he has an interest in this property.
(Gordon and Goynes excused)

ANDREW REED, Planning and Development, stated this rezoning is compatible with the Service Commercial/Industrial Rehab designation of this site by the City of Las Vegas Redevelopment Plan. The office use proposed by the applicant is compatible with the surrounding land uses and zoning districts. Staff recommended approval, subject to the conditions.

DENNIS WATTS, Cornerstone Company, 201 Las Vegas Boulevard South, appeared to represent the application.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. C-24 for related discussion.

NOTE: ROBERT GENZER, Planning and Development, said Item Nos. C-23 and C-24 are within the notification radius of properties owned by his wife and her parents. Therefore, he has not been involved in the recommendation process.

To be heard by the City Council on April 18, 2001.

(10:09 - 10:15) 3 - 1860

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ITEM

ACTION

Z-0010-01 - CORNERSTONE COMPANY

APPROVED

prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

3. Site development to comply with all applicable Conditions of Approval for VAC-49-99 and all other subsequent site-related actions.

Standard Conditions

4. A Resolution of Intent with a two-year time limit.

5. All City Code requirements and design standards of all City departments must be satisfied.

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COUNCIL CHAMBERS -400 EAST STEWART AVENUE

ITEM

ACTION

C-24.

Z-0010-01(1) - CORNERSTONE COMPANY

Request for a Site Development Plan Review FOR A PROPOSED 1,746 SQUARE FOOT TEMPORARY OFFICE BUILDING on the northwest corner of Fourth Street and Colorado Avenue (APN: 162-03-110-011), R-4 (High Density Residential) Zone, PROPOSED: C-1 (Limited Commercial), Ward 3 (Reese).

NOTICES MAILED 92 (Mailed with Z-0010-01)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The modular building shall be removed prior to April 18, 2003,

2. The applicant shall submit a Site Development Plan Review for Planning Commission review prior to construction of any permanent structure.

Public Works

3. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

4. Site development to comply with all applicable Conditions of Approval for VAC-49-99, Z-10-01 and all other subsequent site-related actions.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 1 AMENDED TO EXPIRE 24 MONTHS AFTER CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED

Motion carried with Truesdell abstaining inasmuch as he has an interest in this property (Gordon and Goynes excused)

ANDREW REED, Planning and Development, stated access to this site is from driveways on 3rd and 4th Streets. A modular building that will be used as an office is shown in the northeast portion of the site. The site plan indicates that a permanent building will be constructed in the south portion of the site at a later date. Ten-foot wide landscape planters are shown along street frontages. The elevations indicate modular buildings will have a wood siding exterior with canopies above the windows. The modular building will only be used temporarily so conditions have been added requiring the modular building to be removed in two years and requiring a Site Development Plan Review for Planning Commission consideration prior to construction of any permanent structure.

In regard to the landscape plan, the site of the landscape planters is compatible with the adjacent Gateway Park. Full compliance of the landscaping requirements should be required as a Condition of Approval prior to any Site Development Plan application for a permanent structure.

This will support the goals and objectives of the Downtown Centennial Plan, which encourages the placement of office spaces in the downtown area.

Staff recommended approval, subject to the conditions.

DENNIS WATTS, Cornerstone Company, 201 Las Vegas Boulevard South, appeared to represent the application. In regard to Item No. C-24, Condition No. 1 stipulates a specific date, so that should be amended to provide 24 months from the Certificate of Occupancy. The temporary use will be for an office, which will allow for abandonment of some streets and remapping, as well as overseeing the area while the permanent building is being planned. They plan to have an upscale building and it will take a while to get it designed and built.

PLANNING COMMISSION

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

Z-0010-01(1) - CORNERSTONE COMPANY

Standard Conditions

5. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

6. All development shall be in conformance with the Site Development plan and building elevations.

7. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

9. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

10. All City Code requirements and design standards of all City departments must be satisfied.

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

MR. REED did not object to amending Condition No. 1.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. C-23 for related discussion.

NOTE: ROBERT GENZER, Planning and Development, said Item Nos. C-23 and C-24 are within the notification radius of properties owned by his wife and her parents. Therefore, he has not been involved in the recommendation process.

To be heard by the City Council on April 18, 2001.

(10:09 - 10:15) 3 - 1860

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

Z-0010-01(1) - CORNERSTONE COMPANY

APPROVED

12. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet.

13. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.

14. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

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COUNCIL CHAMBERS -400 EAST STEWART AVENUE

ITEM

ACTION

C-25.

**V-0007-01 - CASTELLANOS FAMILY TRUST
ON BEHALF OF LA FUENTE, INC.**

Request for a Variance TO ALLOW A PROPOSED PORTE COCHERE ADDITION TO AN EXISTING STRUCTURE (CHEETAH'S) 5 FEET FROM THE FRONT PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED at 2112 Western Avenue (APN: 162 04-302-007), M (Industrial) Zone, Ward 3 (Reese).

NOTICES MAILED 76 (Mailed with SD-0006-01)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval of Site Development Plan Review SD-0006-01 as required by the Planning and Development Department and the Department of Public Works.

2. If this Variance is not exercised within two (2) years after the approval by City Council, then this Variance shall be void unless an Extension of Time is granted.

Standard Conditions

3. All City Code requirements and design standards of all City departments must be satisfied.

Quinn -
APPROVED, SUBJECT TO STAFF'S CONDITIONS
Unanimous
(Gordon and Goynes excused)

ANDREW REED, Planning and Development, stated the applicant is proposing to construct a porte cochere on the east side of the building. It will be set back five feet from the front property line where 10 feet is the minimum setback required. The applicant indicates that no additional floor space is being proposed with this application. The applicant also indicates this request is necessary due to the unusual shape of the parcel. Staff feels this would not be to the detriment of the public good nor the intent and purpose of any ordinance or resolution. Staff recommended approval, subject to the conditions.

PETE CHRISTIANSEN, 810 South Casino Center, and SCOTT MEYERS, 810 South Casino Center, appeared on behalf of the applicant. They concurred with the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER QUINN noted that this establishment has not been a problem for the area.

NOTE: COMMISSIONER QUINN said his office is across the street to the south inside the notification area. He felt he could make an unbiased decision in regard to this request.

NOTE: See Item No. C-26 for related discussion.

To be heard by the City Council on April 18, 2001.

(10:15 - 10:19) 3 - 2120

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

C-26.

**SD-0006-01 - CASTELLANOS FAMILY TRUST
ON BEHALF OF LA FUENTE, INC.**

Request for a Site Development Plan Review FOR A PROPOSED EXTERIOR REMODEL AND PORTE COCHERE ADDITION TO AN EXISTING BUILDING (CHEETAH'S) on approximately 1.28 acres located at 2112 Western Avenue (APN's: 162-04-302-007 and 162-04-403-001), M (Industrial) Zone, Ward 3 (Reese).

NOTICES MAILED 76 (Mailed with V-0007-01)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Public Works

1. Coordinate with the Right-of-Way Section to determine the appropriate grant for a permanent easement around an existing flashing pedestrian light pole adjacent to parcel APN #162-04-302-006. Grant such required easements prior to the issuance of any building permits.

2. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

3. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS

Unanimous

(Gordon and Goynes excused)

ANDREW REED, Planning and Development, stated the applicant is proposing to aesthetically enhance the buildings exterior by providing a stucco treatment with decorative marble pop-outs and marble finished planters around the perimeter of the building. No additional floor space is being proposed. The proposed aesthetics will be an enhancement to the building. Staff recommended approval, subject to the conditions.

PETE CHRISTIANSEN, 810 South Casino Center, and SCOTT MEYERS, 810 South Casino Center, appeared on behalf of the applicant. They concurred with the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER QUINN noted that this establishment has not been a problem for the area.

NOTE: COMMISSIONER QUINN said his office is across the street to the south inside the notification area. He felt he could make an unbiased decision in regard to this request.

NOTE: See Item No. C-25 for related discussion.

To be heard by the City Council on April 18, 2001.

(10:15 - 10:19) 3 - 2120

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

**SD-0006-01 - CASTELLANOS FAMILY TRUST
ON BEHALF OF LA FUENTE, INC.**

APPROVED

Standard Conditions

4. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

5. All development shall be in conformance with the Site Development plan and building elevations.

6. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

8. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

**SD-0006-01 - CASTELLANOS FAMILY TRUST
ON BEHALF OF LA FUENTE, INC.**

APPROVED

9. All City Code requirements and design standards of all City departments must be satisfied.

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

11. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet.

12. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.

13. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

C-27.

V-0008-01 - CITY OF LAS VEGAS ON BEHALF OF UNIVERSITY MEDICAL CENTER OF SOUTHERN NEVADA

Request for a Variance TO ALLOW FOR A 20 FOOT POLE SIGN WHERE A SECOND SIGN IS NOT PERMITTED ALONG THE SAME STREET FRONTAGE AND WHERE 5 FEET IS THE MAXIMUM HEIGHT FOR A POLE SIGN located at 1700 Wheeler Peak Street (APN: 139-21-416-011), C-PB (Planned Business Park) Zone, Ward 5 (Weekly).

NOTICES MAILED 78

APPROVALS 0

PROTESTS 1 Speaker

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. If this Variance is not exercised within two years from date of approval, the Variance shall be void unless an Extension of Time is granted.
2. The pole sign shall be redesigned to reflect a more aesthetically pleasing appearance, subject to the approval of the Planning & Development Department.
3. The Architectural Review Committee for Enterprise Park shall approve the proposed sign before any sign permits are issued.
4. City Code requirements and design standards of all City Departments, which are not affected by approval of this Variance, must be satisfied.
5. Conformance to the site plan as submitted.

Buckley -
ABEYANCE TO THE APRIL 12, 2001 PLANNING COMMISSION MEETING
Unanimous
(Gordon and Goynes excused)

LAURA MARTIN, Planning and Development, said the applicant's justification letter states the existing monument sign and building signage do not adequately identify the University Medical Center as the Nevada Quick Care facility located at the Enterprise Health Care and Dental Center. This site is located within the Las Vegas Enterprise Park, which has CC&R's pertaining to development. The City of Las Vegas does not enforce CC&R's; however, it should be noted that any sign proposed within the Enterprise Park is required to obtain approval from the Architectural Review Committee. Also, the sign standards for the Enterprise Park are identical to Title 19A Sign Standards, which states that only one ground sign is allowed per street frontage per parcel and should not exceed a height of five feet of a finished grade, or a total of 50 square feet. No permanent building signage exists for the UMC Quick Care and recommends the placement of a tenant identification sign to assist customers in finding this business. The existing monument sign for the Enterprise Health Care and Dental Center identifies the UMC Quick Care.

This proposed sign is plain and unattractive in design and there is no unique hardship or adequate justification to warrant the granting of this Variance.

Staff recommended denial.

DARRELL SHOCK, Vision Sign Company, 3625 South Polaris Avenue, appeared to represent the applicant. They are requesting a Variance because the traffic on Martin L. King Boulevard does not know that this facility exists.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. There has been an attempt by the City to eliminate these pole signs.

CHAIRMAN GALATI declared the Public Hearing closed.

PLANNING COMMISSION

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

**V-0008-01 - CITY OF LAS VEGAS ON BEHALF
OF UNIVERSITY MEDICAL CENTER OF
SOUTHERN NEVADA**

COMMISSIONER TRUESDELL asked if this sign would conform to the CC&R's.

MS. MARTIN responded that it does not conform to the CC&R's. The CC&R standards for monument signs are identical to the CPB requirements, which require a five-foot monument sign at a maximum of 50 square feet. In the CC&R's they are required to appear before the Architectural Review Committee to obtain their approval.

COMMISSIONER TRUESDELL wondered if the Planning Commission should be voting on this sign.

COMMISSIONER BUCKLEY objected to what is being proposed.

MR. SHOCK requested this item be held in abeyance for 30 days so they could meet with staff and come back with a more acceptable sign.

CHAIRMAN GALATI felt this should be held to obtain clarification on whether the applicant can have this type of sign according to the CC&R's, and if that's the case, whether the Planning Commission can vote on this application.

MS. MARTIN said they should also meet with the Architectural Review Committee.

To be heard by the Planning Commission on April 12, 2001

(10:19 - 10:28) 3 - 2330

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

C-28.

**V-0009-01 - MARTIN & PHYLLIS SCHWARTZ
REVOCABLE FAMILY TRUST ON BEHALF OF
CHARLESTON RANCHO PLAZA**

Request for a Variance TO ALLOW A 20 FOOT HIGH POLE SIGN WHERE 12 FEET IS THE MAXIMUM HEIGHT PERMITTED located at 2324 West Charleston Boulevard (APN: 139-32-802-032), C-D (Designed Commercial) Zone, Ward 1 (M. McDonald).

NOTICES MAILED 84

APPROVALS 0

PROTESTS 3 (3 inside notification radius)
1 Speaker

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. If this Variance is not exercised within two years from date of approval, the Variance shall be void unless an Extension of Time is granted.

2. The entire sign face shall be limited to 48 square feet as required by the City of Las Vegas Zoning Code (Title 19A) for the C-D zoning district.

3. City Code requirements and design standards of all City Departments, which are not affected by approval of this Variance, must be satisfied.

4. Conformance to the site plan and elevations as submitted.

Quinn -

NO RECOMMENDATION

**Motion for approval did not carry with Galati and Truesdell voting NO
(Gordon and Goynes excused)**

LAURA MARTIN, Planning and Development, said the applicant's justification letter indicates that many businesses have signs taller than 12 feet. Therefore, the applicant is requesting a Variance to allow a 20-foot high pole sign to have the same visibility as the neighboring businesses. The proposed flag shaped 19.9 square foot sign has a 50.5 square foot illuminated sign face with 47 feet utilized for the sign area. The pole sign is planned in the landscape planter along the West Charleston Boulevard frontage, set back 5 feet from the property line. The sign will match the existing tan color of the building.

A majority of the parcels along the Charleston Boulevard frontage between Rancho and Valley View are zoned C-D, the same as the subject parcel. Upon site inspection, staff notes that other area businesses that have similar zoning in the immediate area between Rancho and Strong do not have signs taller than what is permitted by code.

Staff does not find any unique or undue hardship imposed upon this property that would warrant a Variance. Staff recommended denial.

DARRELL SHOCK, Vision Sign Company, 3625 South Polaris Avenue, appeared to represent the applicant. He felt this is an unusual situation that requires a sign 19'9". The sign will be cantilevered to where it can go up and over the parking spaces, which would still allow a vehicle, such as a UPS truck, to pull into the parking space and not affect the sign. The landscape area from back of sidewalk is 10 feet with 5 feet from the edge. A 5-foot wide sign within that area would not be sufficient. It is important for persons coming to this facility to see this site.

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

**V-0009-01 - MARTIN & PHYLLIS SCHWARTZ
REVOCABLE FAMILY TRUST ON BEHALF OF
CHARLESTON RANCHO PLAZA**

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. The City has been trying to eliminate pole signs.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER TRUESDELL commented that the area between Rancho and Valley View is very sensitive to what takes place. There is an existing sign just west of this property for Smith's Food King. He wondered what the height of that sign is.

MR. SHOCK said the height of that sign is 12 feet. When driving by this building coming from the east most people will pass right by it.

COMMISSIONER TRUESDELL asked if there is a possibility whether there is any space along the frontage to place a sign.

MR. SHOCK objected to placing a 12-foot high sign in that area.

To be heard by the City Council on April 18, 2001.

(10:28 - 10:36) 3 - 2730

PLANNING COMMISSION

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

C-29.

**V-0010-01 - 5 STAR PROPERTIES-
CHARLESTON & RANCHO ON BEHALF OF
UNIVERSITY MEDICAL CENTER OF
SOUTHERN NEVADA**

Request for a Variance TO ALLOW A 20 FOOT HIGH MONUMENT SIGN WHERE 8 FEET IS THE MAXIMUM HEIGHT PERMITTED located at 2231 West Charleston Boulevard (APN: 162-04-101-002), R-E (RESIDENCE ESTATES) Zone under Resolution of Intent to O (Office) Zone, Ward 1 (M. McDonald).

NOTICES MAILED 68

APPROVALS 1 Speaker

PROTESTS 1 (1 inside notification radius)

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. If this Variance is not exercised within two years from date of approval, the Variance shall be void unless an Extension of Time is granted.

2. City Code requirements and design standards of all City Departments, which are not affected by approval of this Variance, must be satisfied.

3. Conformance to the site plan and elevations as submitted.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITONS

Motion carried with Truesdell abstaining inasmuch as he is involved in a transaction with 5 Star Properties (Gordon and Goynes excused)

LAURA MARTIN, Planning and Development, stated the applicant's justification letter indicates that there are many businesses with signs taller than 12 feet. This applicant would like to have a Variance to have the same visibility as the neighboring businesses. This sign would have a 240 square foot sign face where 75 square feet is the maximum permitted. A monument sign is requested in a planter east of the driveway set back 5 feet from the property line. The adjacent neighboring zoning is predominantly limited to commercial and planned development. Those districts have the same requirements as the office zoning district. This newly constructed building has signs on the building in the east and west elevations. Due to the height of the building, location, and location of these building signs, the tenants of the subject buildings are easily identifiable along Charleston Boulevard. This proposed sign is too large for this site. There is no hardship on this property that would warrant a Variance. Staff recommended denial.

DARRELL SHOCK, Vision Sign Company, 3625 South Polaris Avenue, appeared to represent the applicant. This sign is typical of the four signs UMC has across the street. These signs are being done at all their Quick Care facilities.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. This is a very nice sign and there is no problem with the height.

CHAIRMAN GALATI declared the Public Hearing closed.

MR. SHOCK added that the nearby Sav-On sign is 25 feet tall. The Eric Woods Comfort Dental Sign at 2055 West Charleston Boulevard is 30 feet tall.

CHAIRMAN GALATI commented after the vote was posted that the approval is for the sign that was submitted.

This is final action.

(10:36 - 10:41) 3 - 3150

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

D.

NON PUBLIC HEARING ITEMS:

D-1.

ABEYANCE - SD-0002-01 - CLARK COUNTY SCHOOL DISTRICT

Request for a Site Development Plan Review FOR A PROPOSED 62,500 SQUARE FOOT ELEMENTARY SCHOOL; AND FOR A WAIVER OF THE LANDSCAPING REQUIREMENTS on 13.7 acres located at the northeast corner of the intersection of El Campo Grande Avenue and Leon Avenue (APN: 125-25-302-001), C-V (Civic) Zone, Ward 6 (Mack).

ON MARCH 6TH, THE APPLICANT REQUESTED THAT THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE.

Buckley -

WITHDRAWN WITHOUT PREJUDICE

Motion carried with Galati abstaining from voting inasmuch as the School District is a client of his architectural firm, Littlefield abstaining inasmuch as he is employed by the School District, and Quinn abstaining inasmuch as his firm is in litigation with the School District

(Gordon excused)

ANDREW REED, Planning and Development, stated the applicant has requested this item be withdrawn without prejudice.

This is final action.

(6:09 - 6:11) 1 - 250

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

D-2.

**TM-0006-01 - AMERICAN CITY VISTA -
SANDRA NORRIS 1990 LIVING TRUST**

Request for a Tentative Map for 409 lots on approximately 32 acres on the northwest corner of the intersection of Washington Avenue and Robin Street (APN: 139-29-612-002), C-PB (Planned Business Park) Zone, [PROPOSED: R-3 (Medium Density Residential)], Ward 5 (Weekly).

STAFF RECOMMENDATION: ABEYANCE, PENDING DISPOSITION OF SITE DEVELOPMENT PLAN REVIEW AT CITY COUNCIL.

**Truesdell -
ABEYANCE ITEM NOS. C-15, C-16 AND D-2 TO THE
MARCH 22, 2001 PLANNING COMMISSION MEETING
Unanimous
(Gordon excused)**

ANDREW REED, Planning and Development, stated this is a residential development proposed for Washington Avenue and Robin Street. A related General Plan Amendment and Rezoning were heard by the City Council on March 7, 2001 and held in abeyance until the March 21, 2001 meeting. Therefore, staff would like to have these related items held to the March 22, 2001 Planning Commission meeting.

CHRIS SQUILLANTE, KB Homes, 750 Pilot Road, appeared to represent the applicant. She concurred that these items should be held in abeyance.

AL GALLEG0, Citizen of Las Vegas, suggested that all the items on this agenda be open to the public, particularly the Tentative Map under this item.

ROBERT GENZER, Director, Planning and Development, responded that the issues regarding the Tentative Map are covered by Item No. C-16, Site Development Plan Review, on this agenda. The Planning Commission could recommend that the Tentative Map be a Public Hearing at the March 22, 2001. The Tentative Map is merely a reflection of the Site Plan that is approved.

NOTE: See Item Nos. C-15 and C-16 for related applications.

To be heard by the Planning Commission on March 22, 2001.

(6:06 - 6:09) 1 - 160

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

D-3.

SD-0005-01 - ECHOES OF FAITH

Request for a Site Development Plan Review FOR TWO PROPOSED BUILDINGS CONTAINING OFFICE/MEETING ROOMS IN CONJUNCTION WITH AN EXISTING CHURCH on 4.25 acres at 1401 East Washington Avenue (APN: 139-26-201-013), C-V (Civic) Zone, Ward 5 (Weekly).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Site Development Plan Review is not exercised within two years from date of approval, the Site Development Plan Review shall be void unless an Extension of Time is granted.

2. The landscape plan shall indicate a minimum fifteen (15') foot wide landscape planter with 24-inch box trees planted 20-feet on center along the Washington Avenue frontage, and eight (8') foot wide landscape planters with 24-inch box trees planted 30-feet on center along Fantasy Lane and the north and east property lines. All landscaping shall adhere to the minimum requirements of the Las Vegas Urban Design Guidelines and Standards.

3. The landscape plan shall depict all parking lot landscape islands be a minimum of five-feet in width with one 24-inch box tree provided for every six parking spaces. All landscaping for parking areas shall adhere to the minimum requirements of the Las Vegas Urban Design Guidelines and Standards.

4. The landscape plan shall depict the long row of parking indicated north of the proposed structures to depict one landscape finger island, with a minimum width of five-feet and one 24-inch box tree, to be provided for every six parking spaces. All landscaping shall adhere to the minimum requirements of the Las Vegas Urban Design Guidelines and Standards.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS
Motion carried with Truesdell voting NO
(Gordon and Goynes excused)

LAURA MARTIN, Planning and Development, stated two proposed buildings are planned along the Washington Avenue frontage east of the church. The two structures have been moved from an off-site location and are typically resting in dissected portions until permanent placement on the site. The site plan does not easily distinguish the paved parking areas or landscape areas. Landscaping is shown to the rear of the church and to the side and rear of the proposed buildings. The site is currently accessed from Fantasy Lane and there is an access proposed from Washington Avenue. The City code requires that all parking spaces must be on paved surfaces. The site plan indicates existing landscaping on the northeast corner of Washington Avenue and Fantasy Lane in front of the church. No other landscaping is indicated on the site plan. There are conditions requiring additional landscaping. Staff recommended approval, subject to the conditions.

WILLIAM ARMSTRONG appeared to represent the applicant. He concurred with the conditions. This is a start of a future plan for development of the church. They will work closely with staff as development occurs to insure that they are meeting all the conditions. These will be permanent buildings that will be brought up to all codes. In the future they plan to have additional buildings in the northeast area as funds are available. These buildings are an office type that will have a residential appearance instead of commercial. The exterior will look similar to the church with all three buildings updated.

CHAIRMAN GALATI was concerned about the aesthetics.

REVEREND BERTIE McCOY, Echoes of Faith, 1401 East Washington Avenue, appeared to represent the church. They also have a school. These buildings were donated by a businessman. They need this additional space. Most churches are making additions.

To be heard by the City Council on April 18, 2001.

(10:41 - 10:48) 1 - 3460

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

SD-0005-01 - ECHOES OF FAITH

APPROVED

5. The site plan shall be revised to indicate a minimum of five (5) handicap parking spaces; one handicap space shall be designated as van accessible.

6. All parking surfaces must be paved before the issuance of the Certificate of Occupancy for the two proposed building additions.

7. The applicant shall remove the mobile home structure before the issuance of the Certificate of Occupancy for the two proposed building additions.

Public Works

8. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the northeast corner of Washington Avenue and Fantasy Lane.

9. Construct half-street improvements including appropriate overpaving on Fantasy Lane adjacent to this site concurrent with development of this site.

10. Remove all substandard public street improvements and unused driveway cuts adjacent to this site along Washington Avenue, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site.

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COUNCIL CHAMBERS –400 EAST STEWART AVENUE

ITEM

ACTION

SD-0005-01 - ECHOES OF FAITH

APPROVED

11. The proposed vehicular gate on Fantasy Lane may be placed immediately behind the right-of-way line as proposed, if remotely operated, or, if not remotely operated if the gate is to remain open during normal business hours and provided the gate is oriented so that no part of the gate encroaches into the public right-of-way in either the open or closed position. If the gate is proposed to be closed during normal business hours, it shall be set back a minimum of 18 feet from the right-of-way line. The proposed vehicular gates on Washington Avenue shall be set back a minimum of 18 feet from the right-of-way line and shall remain open during normal business hours.

12. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

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SD-0005-01 - ECHOES OF FAITH

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

13. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

14. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the Planning Engineer.

Standard Conditions

15. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

APPROVED

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SD-0005-01 - ECHOES OF FAITH

16. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

17. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.

18. All City Code requirements and design standards of all City departments must be satisfied.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

APPROVED

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ACTION

D-4.

Z-0033-97(21) - PERMA-BILT ON BEHALF OF JOHN LAING HOMES

Request for a Site Development Plan Review FOR A PROPOSED 278 LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 22.47 acres on the northwest corner of Gowan Road and Shadow Peak Street (APN: 137-12-601-001, portion of 137-12-601-014), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 6 (Mack).

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. The setbacks for this development shall be a minimum of 18 feet in the front, 5 feet on the side, 10 feet on the corner side, and 5 feet in the rear.

2. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

Public Works

3. Vacation Application VAC-01-01 and Parcel Map PM-25-00 shall record prior to the recordation of a Final Map for this site.

4. The site plan as proposed shall be revised such that all private streets and drives comply with the requirements of the Title 18 Subdivision Code prior to submittal of a Tentative Map. This will primarily affect the proposed unnamed private drive in the northeast corner of this site.

Galati -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH FIRST SENTENCE IN CONDITION NO. 4 DELETED AND APPLICANT TO WORK WITH STAFF ON SETBACKS

Motion carried with Buckley abstaining inasmuch as John Laing Homes is a client of his law firm (Goynes and Gordon excused)

TROY JESCHKE, Planning and Development, stated access to this site is via a gated entrance off Shadow Peak Street and a second egress only gate off Gowan Road. All the residences will be accessed by 24-foot wide private access drives or 37-foot wide private access drives within the development. No sidewalks are depicted within the development. This development will consist of 278 single-family lots with sizes ranging from 1,200 square feet to 1,525 square feet. The setbacks are 18 feet in the front, 3.5 feet on each side and 3 feet in the rear. The landscape plan includes a minimum 20-foot wide planter along Shadow Peak Street frontage, a 10-foot wide planter along Gowan Road, and a 26,229 square foot pocket park that is situated toward the center of the site with numerous narrow green spaces leading away from the park site. The elevations depict stucco wall construction and concrete tile roofs. Each dwelling features a one-car garage and a driveway capable of holding one car and a third common parking space by an encroachment agreement with the adjacent property owner. This development is within the allowable density for the site development under the current PD (Planned Development) zoning district. However, the proposed development will be of a higher intensity of development in relationship to the adjacent single-family development to the south and east. Staff recommended denial.

PAUL KENNER, John Laing Homes, 4435 South Jones Boulevard, Suite I, appeared to represent the applicant. This property is located in the Lone Mountain Master Plan and within the Shadow Hills Master Plan. The site is currently zoned for medium density attached for up to 18 units per acre. This proposal is for a detached single family project that would

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Z-0033-97(21) - PERMA-BILT ON BEHALF OF JOHN LAING HOMES

5. Grant a 20' wide public sewer easement adjacent to south boundary of this site. Provide proof of legal access, such as an easement, between the proposed crash gate and Shadow Peak Street, across Common Element 12D of Cheyenne/Hualapai North Unit 12 prior to recordation of a Final Map.

6. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

7. Active gated entry drives shall be designed, located and constructed in accordance with Standard Drawing #222a. Dusty Valley Street as proposed does not meet this standard, and shall be limited to Egress Only; no ingress, now or in the future, shall be allowed unless additional width is provided.

8. A site-specific update to the Master Traffic Impact Analysis for the Lone Mountain Planned Development shall be submitted to and approved by the Department of Public Works prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis update shall include an Access Analysis to determine whether the single active access drive will be sufficient to provide ingress access to the 278 lots proposed. Additional active ingress/egress points shall be provided if recommended by the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis update, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

have an ultimate density of 12.5 units per acre. The surrounding uses are apartments to the south, beltway to the west, flood control channel to the north, and some larger single family detached R-1 to the east. They started developing this project with cul-de-sacs. At meetings with staff they had 10 to 12 lots within the cul-de-sac. After working with staff they have developed this plan that has a maximum of 8 lots within each cul-de-sac. The homes face private access alleys that are not gridded out. They tried to design the project so that it would be neighborhood friendly. It will be a gated community with a pool. There are sidewalks on one side of the streets. They are trying to bring out the use of the courtyards adjacent to the garage. The units will match each other color-wise.

COMMISSIONER QUINN asked if the pool and recreation center will take away from the green space. At the present time there is 93,000 square feet and they are required to have 91,740 square feet.

MR. JESCHKE responded that the pool and recreation center are considered public uses. The pool would be considered toward the open space, but the building would be deducted from the amount of open space.

MR. KENNER explained that there will be three types of floor plans using three elevations and three colors. In regard to the setbacks, the buildings will be separated anywhere from 8 to 20 feet based on the design. However, the minimum exists in only one location.

COMMISSIONER TRUESDELL felt this type of project is a step in the right direction to create a neighborhood component in this marketplace as far as density and aesthetics.

CHAIRMAN GALATI said there are a lot of things he likes about this project, but a couple of things are objectionable. One objection is the rear yard setback at 5 feet. He did not object to the density. A lot of the space around the houses is unusable.

MR. KENNER responded that this plan has been studied for over a year. They have done cluster type projects in other parts of the country. There is about a 3% fall across this site. The focus is on the courtyards. There are double French doors going out into the courtyard. They want the front yard to be more social.

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9. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first., if allowed by the City Engineer. No building permits to construct individual lots within 300 feet of the Gilmore Channel alignment shall be issued until such time as construction of the Gilmore Channel is completed.

11. Site development to comply with all applicable conditions of approval for Z-33-97 and all other subsequent site-related actions.

CHAIRMAN GALATI thought he would be more comfortable with a 24-foot wide drive. As this is proposed it is too small for children to play in.

MR. KENNER said they do not want to encourage a wide street to increase cars speeding. They will be leaving the 37 foot internal street and entering into their neighborhood. This project will not have the appearance that everyone has the same house. There will not be a divider wall between the units. They would be willing to submit to staff a more detailed landscape plan and colors. They want the building set back 10 feet in the front and the garage set back 18 feet with 3.5 foot side yard setbacks. On the corner lots they want 7.5-foot setbacks and 4 feet in the rear yards. He objected to Condition No. 4. He thought Public Works was going to eliminate that condition.

BART ANDERSON, Public Works, agreed to the deletion of the first sentence in Condition No. 4. The site plan has a cul-de-sac in the northeast corner and a private drive coming off that consisting of 8 units. The site plan that Public Works reviewed did not have that cul-de-sac, but an elbow shaped private drive that was too long and serviced too many units. Therefore, Condition No. 4 is included stating the site plan be revised to meet the City's standards. The site plan being shown at this meeting shows it has been revised, but the condition should remain.

MR. KENNER added that there are a lot of easements that are being dedicated by the owner of the property. They discovered an additional easement for the Las Vegas Valley Water District. He agreed that Condition No. 4 should remain.

To be heard by the City Council on April 4, 2001.

(10:48 - 11:14) 4 - 130

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ACTION

**Z-0033-97(21) - PERMA-BILT ON BEHALF OF
JOHN LAING HOMES**

APPROVED

12. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

Standard Conditions

13. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.

14. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

15. A landscaping plan shall be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first.

16. The applicant shall finish the existing six-foot high decorative block wall along the entire site boundaries with at least 20 percent contrasting materials.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

D-5.

Z-0105-97(5) - AREEJH INVESTMENTS CORPORATION ON BEHALF OF EQUITABLE DEVELOPMENT CORPORATION OF NEVADA, INC.

Request for a Site Development Plan Review FOR MODIFICATIONS TO AN APPROVED 10-THEATER MOVIE COMPLEX, RETAIL SHOPS, PROFESSIONAL OFFICE SPACE, RESTAURANT PAD, AND A 5-LEVEL PARKING GARAGE located north of Washington Avenue, approximately 575 feet east of Lamb Boulevard (APN: 140-29-212-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 3 (Reese).

STAFF RECOMMENDATION: APPROVAL, subject to the following:

Planning and Development

1. The north side of the building shall have an exterior treatment that is compatible with the remainder of the structure shall be submitted to the Planning and Development Department.
2. All trees shall be at least 24-inch box in size.
3. A Site Development Review for the restaurant pad must be approved by the Planning Commission prior to any construction on that pad.
4. This approval does not constitute approval of a tavern or pub.
5. Site development to comply with all applicable Conditions of Approval for Z-105-97, the Azra Commercial Subdivision, and all other site-related actions as required by the Planning and Development Department.

Truesdell -
ABEYANCE TO THE APRIL 12, 2001 PLANNING COMMISSION MEETING
Unanimous
(Gordon and Goynes excused)

ROBERT GENZER, Planning and Development, recommended this item be held in abeyance for 30 days since the applicant was not present.

ANDREW REED, Planning and Development, added that this is a modification to a previous approval. The conditions are primarily those on the original approval.

COMMISSIONER TRUESDELL felt the applicant should be present to agree with the conditions. Therefore, he made a motion to hold this item in abeyance for 30 days.

To be heard by the Planning Commission on April 12, 2001.

(11:14 - 11:15) 4 - 970

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Z-0105-97(5) - AREEJH INVESTMENTS CORPORATION ON BEHALF OF EQUITABLE DEVELOPMENT CORPORATION OF NEVADA, INC.

Public Works

6. Coordinate with the Collection Systems Planning Section of the Department of Public Works regarding the possible need to relocate the existing on-site private sewer line. Site development shall comply with the recommendations of the Collection Systems Planning Section.

7. Site development to comply with all applicable Conditions of Approval for Z-105-97, Z-105-97(4), the Azra Center commercial subdivision, and all other site-related actions.

Standard Conditions

8. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

9 All development shall be in conformance with the Site Development plan and building elevations.

10. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

11. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

ABEYANCE TO APRIL 12, 2001

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ACTION

Z-0105-97(5) - AREEJH INVESTMENTS CORPORATION ON BEHALF OF EQUITABLE DEVELOPMENT CORPORATION OF NEVADA, INC.

ABEYANCE TO APRIL 12, 2001

12. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

13. All City Code requirements and design standards of all City departments must be satisfied.

14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

15. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet.

16. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

D-6.

Z-0024-99(21) - STANPARK CONSTRUCTION COMPANY, INC.

Request for a Minor Modification to the Lone Mountain West Development Master Plan to amend Subsections 3.6.1(i & l), 3.6.2(e), and 3.12(g) regarding retaining wall height and spacing, PD (Planned Development) Zone, Ward 4 (Brown).

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Items 3.6.1(i) and 3.6.2(e) shall be amended as: *Retaining wall 10'0" max, 2'0" clear horizontal distance between terraced walls. No retaining wall over 3'6" shall be visible from any public street with exception of 10'0" shall be visible from Cliff Shadow Parkway and the exception of the I-215 Beltway.*

2. Item 3.6.1(l) shall be amended as: *Overall wall height visible from any public street shall not exceed 9'6" with the exception of 16 feet along Cliff Shadow Parkway and the exception of the I-215 Beltway.*

3. Item 3.12(g) shall be amended as: *10'0" maximum retaining wall height, 2'0" clear horizontal distance between terraced walls with 2:1 maximum slope on landscaping between walls. No retaining wall over 3'6" shall be visible from any public street with exception of 10' shall be visible from Cliff Shadow Parkway and the exception of the I-215 Beltway.*

4. Conformance to all other Development Standards for the Lone Mountain West Master Development Plan.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Truesdell - ABEYANCE TO THE APRIL 12, 2001 PLANNING COMMISSION MEETING

**Unanimous
(Gordon and Goynes excused)**

ANDREW REED, Planning and Development, stated the applicant has requested this item be held in abeyance to the April 12, 2001 meeting to continue working with staff.

BRYAN PSIODA, VTN Nevada, appeared to represent the applicant. He agreed to have this item held in abeyance.

To be heard by the Planning Commission on April 12, 2001.

(6:11 - 6:12) 1 - 320

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ACTION

E.

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

ADJOURNMENT:

/lo

There was no one present wishing to speak under this portion of the agenda.

There being no further business to come before the City Planning Commission, the meeting adjourned at 11:15 P.M.

LINDA OWENS, DEPUTY CITY CLERK